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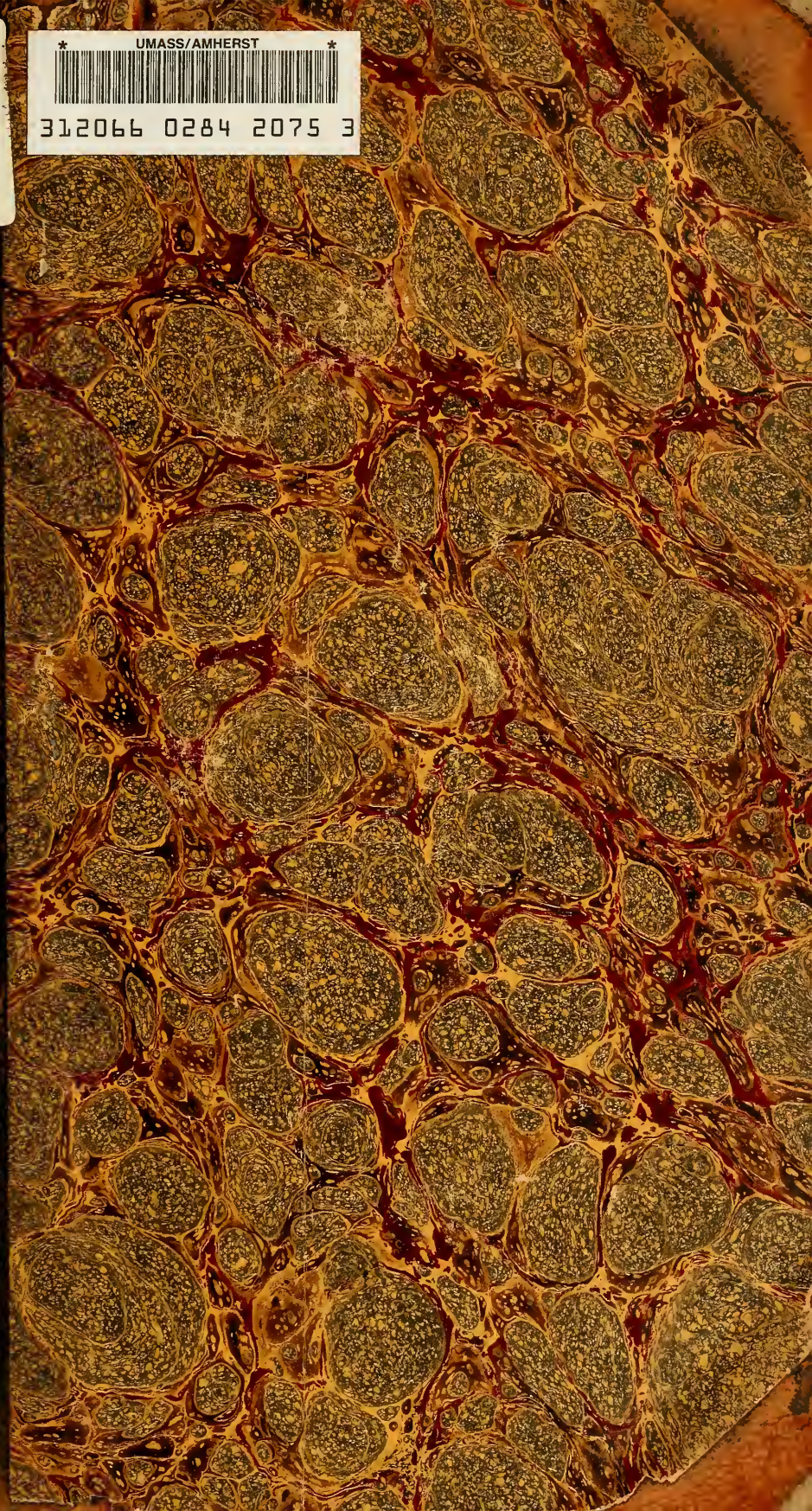
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THIRTEENTH ANNUAL REPORT

OF THE

CIVIL SERVICE COMMISSIONERS

OF

MASSACHUSETTS.

DECEMBER 4, 1896.

BOSTON:
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
18 POST OFFICE SQUARE,
1897.


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Commonwealth of Massachusetts.

To the Honorable the Senate and House of Representatives in General Court assembled.

Pursuant to the provisions of section 2 of chapter 320 of the Acts of the Legislature for 1884, the Civil Service Commissioners have the honor to submit their thirteenth annual report, including the period from Oct. 1, 1895, to Oct. 1, 1896.

Upon the expiration of his term of office, in July, Commissioner Lord was reappointed, and there has been no change in the personnel of the commission. In January, George H. Johnson, who had succeeded to the office of registrar of labor, created by the Legislature in 1895, died, and suitable notice was taken by the commissioners of his long and faithful connection with the labor service under civil service rules. William L. Hicks, who had long been connected with the Boston Board of Health, and a veteran of the war of the rebellion, was appointed to the vacant position.

During the year covered by this report there was no change in the civil service rules, in the classification of the public service or in the regulations concerning appointment to it. There has been a steady increase in the number of applicants for examination, especially in the number of women. The commissioners repeat the statement made in their last report, that "this increase is the strongest argument in proof of the continued belief of the Legislature, the people and seekers for public employment in the efficiency, wisdom and fairness of the present system. Year by year

since 1884 the tendency and effort both of the Legislature and appointing officers have been to increase, and never to lessen, the labors imposed upon the commissioners and their able and efficient officers."

During the official year, 183 examinations of applicants for appointment in the first division of the classified service have been held. Of these, 99 were general competitive examinations, 3 were special competitive and 81 were non-competitive examinations. Of these 81 non-competitive examinations, 63 were in cases of promotion. In the other cases no eligible list for the office existed.

During the year 2,804 persons were examined, as compared to 2,613 the previous year. Of these, 2,031 were men, including 32 veteran soldiers or sailors, and 773 were women. There were 334 more women examined than during the previous year, showing the still growing desire of women to seek employment under the present civil service system, and the inclination of appointing officers to employ them in the clerical service. This inclination may be partly due to the veteran preference provided by present legislation.

Of the persons examined, 1,677 passed the examination, and their names were placed upon the appropriate eligible lists, from which certifications for appointments have been made. Of the persons examined, 2,767 have had a common school education and 37 have attended college. The number appointed from the eligible lists was 647, of whom 525, including 9 veterans, were men and 122 were women. There were also appointed without examination 116 veterans under the soldier exemption law. The average age of the applicants examined was about 38 years, and of those passing the examinations 36.59 years,—a continued proof that, under the scheme of examination provided, experience and common knowledge count for more than recent graduation from or study at school. The examinations have been practical, adapted wholly to test the qualification of the applicant for the office sought, and have resulted, as these figures show, in bringing to the top of the eligible lists those who have proved themselves in open and fair competition to be the best fitted for, and, therefore, under free government, the best entitled to the office created and paid for by the people.

THE LABOR SERVICE.

The labor service of Boston, Cambridge, New Bedford, Newton and Everett is classified and administered under civil service rules.

In Boston 3,230 men were registered during the year, including restorations from former registration. Of this number, 339, or a little over ten per cent., were veterans. One hundred and eight requisitions were received, and 106 certifications of men for employment, containing 2,365 names, were made. Of those so certified, 442, or nearly 19 per cent., were veterans, and 1,923 were not.

In Cambridge the total registration was 854, of whom 38 were veterans, 39 requisitions were made, and 869, including 32 veterans, were certified for employment.

In New Bedford 341 names were added to the register; 289 men, including 13 veterans, were certified upon requisitions. The 13 veterans and 156 others were employed.

In Newton 471 men, including 6 veterans, were registered, and 14 requisitions were made, upon which 447 names were certified, including 2 veterans.

By vote of the city council of Everett the labor rules and system were applied to that city early in the year, and, from the returns for the period of nine months preceding October 1, it appears that 122 men were registered, of whom 7 were veterans; 83 men were certified upon requisitions, of whom 4 were veterans.

A more detailed statement of facts and figures regarding the labor service appears in the report of the registrar of labor, in the Appendix.

EXTENSION OF CLASSIFIED SERVICE.

While there was no change in the classification of the public service under civil service rules during the year covered by this report, the commissioners take this opportunity of reporting to the Legislature amendments of civil service rules recently approved by the Governor and Council (Dec. 3, 1896), and which, under the law, will take effect upon Feb. 15, 1897.

These amendments are published in the Appendix, and are

here referred to under appropriate heads. The first and second amendments provide an extension of the classified service to include messengers in city service, superintendents and assistant superintendents not exempted by statute, civil engineers, draughtsmen and other employees of the city engineer, and the aids of the State Fire Marshal. This extension has been made after careful consideration and consultation, with a desire on the part of the commissioners to act conservatively, and at the same time to recognize the public demand that "the classified service should be extended whenever it is possible." It is felt to be both possible and advisable to make this extension.

The inclusion of messengers in the classified service is justified by the increase in number and compensation, especially in the city of Boston. When the rules were adopted, in 1884, the number of messengers was small, their duties understood and their pay such as would hardly invite competition. After the classification of clerks and other employees, excluding messengers, there developed an inclination to increase the number of messengers and to substitute them for clerks in some city departments. It is difficult to follow such messengers in the performance of their duties, or to restrict them to duties not clerical. It is simpler and easier to include them with clerks in the classified service.

As showing the increase in the number of messengers in the service of the city of Boston, attention is called to these statistics: —

	Number Messengers employed.	Aggregate Pay.	Average Pay.
1890,	19	\$12,840 00	\$675 00
1893,	32	25,165 00	786 00
1895,	46	36,405 00	791 00
1896,	47	37,635 00	800 00

No similar increase is noticed in other branches of the public service, and no reason is known to the commissioners

why in the last five years the public service of Boston has required an increase in the number of messengers from 19 to 47, at an added expense to the taxpayers of the city of some \$25,000.

While the duties of messengers are somewhat varied, and to be learned from experience, the commissioners feel that they will have no difficulty in providing a suitable and fair scheme for testing, by competitive examination, the qualifications of persons seeking such employment. Under the present veteran preference, the classification of messengers will give the veterans the benefit of the statute preference, and in a class of public service in which many of them might desire and be well fitted for employment.

As the pay of some messengers is too small to invite competition, the commissioners provide, by adding section 2 to Rule XXXVIII, that, whenever the pay does not exceed \$400 a year, the commissioners may, in their discretion, allow appointment without examination. In such cases, however, such appointee gains no right to promotion or transfer until after at least two years of service. This will prevent the appointment at small pay with the object of increasing it, or promoting the messenger without examination.

The commissioners deem it expedient to except from the classification of messengers one messenger to the mayor in each city. It is possible that such a messenger may have such confidential duties or stand in such a relation to the mayor that the latter should have the absolute right to appoint, just as he now has the right by statute to appoint his secretary and confidential stenographer.

Amendment *second* extends the classified service under the present Schedule B (Rule VI), by adding three additional classes. Class 12 will include superintendents, assistant superintendents, deputies and other persons, under whatever designation, performing any of the duties of a superintendent in any city. The statute, chapter 95 of the Acts of 1893, exempts from classification heads of any principal departments of a city. Since the inclusion a few years ago of foremen and sub-foremen, under Class 6 of Schedule B, there has been a tendency to enlarge the number of so-called superintendents having duties substantially similar to those of

foremen. While the commissioners, with the assistance of the Attorney-General, have attempted to define the difference between a foreman and a superintendent, the distinction is often difficult, and the line between the two classes of officials sometimes vague. It will be for the public advantage to include both classes under the rules, and the commissioners feel that it will not be difficult to frame a suitable scheme of examination for both. The necessary qualifications for each can be easily learned, and fairly tested in open competition.

Class 13 includes the engineers and employees in the office of the city engineer in each city. These employees are mostly persons of scientific training or experience in engineering work. In the city of Boston there are some seventy in this branch of the public service, with an annual pay aggregating over \$60,000. It is considered possible and advisable to extend the protection of the civil service rules and system to these public positions. As vacancies occur, they will be filled by competitive or appropriate examination, as the case may require. It will not be difficult in this class to test by examination the qualifications of applicants for it.

Class 14 includes the aids of the State Fire Marshal. At present there are twelve aids throughout the Commonwealth, whose duties are somewhat similar to those of the members of the detective division of the district police, and whose qualifications can be ascertained by similar examination.

THE VETERAN PREFERENCE.

Attention was called in the last report to the petition for mandamus filed in the supreme judicial court by Frederick W. Brown, an applicant upon the eligible list for the detective division of the district police force, to compel the commissioners to restore and keep his name at the head of the eligible list, in preference to an unexamined veteran on the list. The suit involved the constitutionality of certain provisions in the veteran preference act, chapter 501 of the Acts of 1895, requiring the certification and appointment to any position in the classified service of any veteran soldier or sailor, whether examined or not, in preference to any examined person not a veteran upon the eligible list. The case

was ably and elaborately argued in November, 1895, by learned counsel for the petitioner, and by the Attorney-General in support of the law and the action of the commissioners under it. The court held the matter under advisement until April last, when an opinion was rendered granting the writ of mandamus, compelling the restoration of the name of the petitioner to its place at the head of the list. While the opinion is an able and exhaustive discussion of the constitutionality of veteran preference legislation, the court carefully confined its decision to the declaration that the Legislature could not compel an appointing officer to appoint to a public office (the district police force) persons of a certain class in preference to all others, without the exercise of any discretion and without proper determination of qualification. The questions argued regarding the constitutionality of requiring preference of veterans who pass the examination, or of allowing appointment of veterans without examination in the discretion of the appointing officers, were not then decided, as a decision of them was not necessary upon the finding of the court. The opinion is printed in the Appendix.

Under this decision it became necessary to amend the veteran preference law, and this was done by chapter 517 of the Acts of 1896. This act repeals, or codifies, all previous existing legislation, and provides in clear language for two preferences to the veteran : *first*, by section 2, a veteran who passes the examination must be appointed in preference to any person (except women) not a veteran, without regard to his relative position upon the eligible list ; *second*, by section 3, appointing officers may, in their discretion, appoint a veteran, whether examined or not, to any position in the classified service.

As the question had been raised and argued regarding the constitutionality of these provisions, and the court had left it still open to future litigation and resulting confusion and delay in settlement, the Governor and Council, at the request of the commissioners, and for the interest of all concerned, required the opinions of the justices of the supreme judicial court upon rules framed under the new statute. The justices were divided in opinion, a majority (four) holding that the entire act, as they construed it, was constitutional, a minority

(three) were of the opinion that the Legislature could not enact that veterans must be preferred for public office or employment to others who may have higher standing or superior qualifications. The justices were unanimous in holding that the exemptive provisions of the act, allowing appointment of veterans in the discretion of the appointing officer, were constitutional. The division in opinion of the justices justified the action of the commissioners in taking this means of settling finally and by judicial authority the power of the Legislature. The conclusion from these judicial decisions and opinions, taken together, is that the Legislature can provide that preference shall be given to a veteran qualified for the position, but no law or rule can oblige the appointment to a public office or employment of a veteran not qualified for its duties. The opinions of the justices are printed in the Appendix.

This statute and the opinions of the justices under it required the commissioners to amend the rules to give to the veteran all the rights secured by law. These amendments have been approved by the Governor and Council, and are reported herewith. The new Rule XXVII provides that, upon requisition, the commissioners shall certify, in preference to all others not women, the veterans upon the eligible list of examined applicants, and the appointment must be made from the names so certified. In this way the appointment of the veteran becomes compulsory. While any veteran can be appointed, no person other than a veteran, if there is any on the list, can be appointed.

The right of the veteran to appointment without examination, in the discretion of the appointing officer, is fully recognized by Rule XII and section 3 of Rule XXVII, under which the appointing officer can at any time call for any or all veterans registered for appointment without examination, and appoint any of them to the vacant position.

There was more difficulty in regulating the preference in the labor service. The justices seem to be of opinion that the statute must be construed to mean that the commissioners shall ascertain the fitness of veterans applying for public labor before compelling their appointment under section 6 of the preference act. As no competitive examination is

required or practicable in the labor service, provision to meet the suggestions of the justices is made under Rule XLV, as now amended.

Every applicant for labor, in addition to his declaration under oath, must file a certificate signed by two reputable citizens that he is qualified to perform the labor sought. It is further provided that the commissioners may, in their discretion, require a physical examination of the applicant, and failure to pass it will exclude him. Having by these provisions guarded against the employment of incompetent laborers, the commissioners give the statute preference to veterans in that branch of the public service by providing, in sections 5 and 7 of Rule XLV, that upon requisition from a department they will certify all veterans on the register, and the selection must be from the list so certified, until the list of qualified veterans is exhausted.

It is further provided, under authority of section 6 of chapter 517 of the Acts of 1896, that, where the appointing officer shall certify that the labor requires the services of young and vigorous men, and designates a maximum age limit, the commissioners, if satisfied of the truth of the certificate, may recognize such age limit.

It is believed that by these provisions the commissioners have carried out the intention of the statute, and that, under the decision and in the opinion of the supreme court, that statute has gone as far as is possible, under our Constitution, to secure the employment of veterans in the public service. The statute of 1896 was carefully framed, and has been carefully examined and construed by our highest judicial tribunal. The commissioners, at the close of a protracted discussion, involving debate and enactment of law in the legislative halls, its consideration and veto in the executive chamber and its final submission to the judicial authority, trust that the policy of the Legislature, as represented by the act of 1896, and the new civil service rules to enforce it, may be accepted as final. They can see no benefit to the public service in pressing, on the one hand, to an unconstitutional enactment the preference, or, on the other, in reopening the question of the expediency of legislation which it must now be assumed represents the will and wishes of the people of the Commonwealth.

AMENDMENTS TO LABOR RULES.

The thirteenth amendment to the rules provides, among other things already referred to, three important changes in the administration of the labor system.

First. — Section 10 of new Rule XLV provides that a mechanic or laborer who has been on the suspended list for six months must be regarded as out of the service, and cannot be employed without new registration and certification. It has been more or less customary in some of the labor employing departments to call for laborers, put them upon the rolls and then suspend them. It would be possible in this way to employ, at least nominally, any number of men upon our lists, and then actually put to work any of them in the discretion of the employing officer, and place the others without pay upon the suspended list. In this way, without expense to the city, a department could disregard the veteran preference, or other preferences in selection, and employ in actual work whom it pleased. The system of keeping large lists of suspended laborers is unnecessary, unfair to the men and detrimental to good and efficient municipal government. If a laborer is needed as a public employee, he should be put to work, and at the close of the work be discharged with credit. He can then return to the labor office and again register with added preference for experience and good work. His rights are as fully protected as they are by placing him upon a suspended list, from which he may or may not again be called to city work, at the option of the employing officer.

The commissioners have fixed the period of allowed suspension at six months. This seems a liberal allowance. If for six months the city has found no work for the laborer, it is just to him and better for the service to give him an honorable discharge.

Second. — Section 11 provides that laborers certified must be employed at least two months before they can be transferred to other work. Under the present rules, it is possible to call men for expert labor for which no persons have registered. The department can then select from the outside whom it pleases. If the men so selected, under claim that they are needed for special expert work, are at once trans-

ferred to general work for which there are competent men enrolled under the preference provided by law, an injustice is done to the latter, and an opportunity afforded for the evasion of the civil service law. The department, when it specifies the work, should be held to the specification, at least for two months. If it finds that it does not need the men for the special work called for, it can discharge them and call upon the commissioners, as necessity requires, for suitable laborers for the work actually required.

Third. — Section 12 applies to the labor service the same rule (Rule XL) now applied in the other division of the public service, by allowing the reinstatement of a laborer found to have been dismissed without cause. It is proposed to allow such reinstatement within three months. This seems to the commissioners to allow a proper time in which the laborer can seek redress for any unjustified dismissal, and at the same time to protect the labor service from any abuse of the rule.

CHAS. THEO. RUSSELL,
ARTHUR LORD,
EDWARD P. WILBUR,

Civil Service Commissioners.

APPENDIX.

APPENDIX.

EXAMINATIONS AND APPOINTMENTS.

From Oct. 1, 1895, to Sept. 30, 1896, inclusive, there were held for the State and Boston services 78 examinations, as follows:—

COMPETITIVE EXAMINATIONS.

For State clerical service,	6
For Boston clerical service,	4
For State stenographer and type-writer service,	2
For Boston stenographer and type-writer service,	2
For State prison service,	1
For Boston prison service,	1
For Boston fire service,	3
For district police service,	1
For Boston police service,	3
For Boston draw-tender and assistant draw-tender service,	1
For Boston foreman and sub-foreman service,	3
For Boston inspection service,	3
For Boston school janitor service,	1
For Boston truant officer service,	1
	— 32

NON-COMPETITIVE EXAMINATIONS.

For State clerical service,	1
For State clerical promotion,	2
For Boston clerical promotion,	1
For State stenographer and type-writer service,	3
For Boston plumbing inspection service,	1
For Boston fire promotion,	32
For Boston police promotion,	4
For Boston assistant draw-tender promotion,	1
For Boston sub-foreman promotion,	1
	— 46

There have been held 105 examinations for original appointments and promotions in the clerical, stenographer and type-writer, police, draw-tender, foreman, inspection, fire

and janitor services of cities other than Boston, and for plumbing inspection service in cities and towns, under chapter 455, Acts of 1894, as follows:—

	Number of Examinations.	Number Examined.	
Beverly:—			
Police service,	1	12	12
		—	
Brockton:—			
Clerical service,	1	8	
Police service,	1	23	31
		—	
Brookline:—			
Police service,	1	13	
Police promotion,	6	6	19
		—	
Cambridge:—			
Clerical service,	2	44	
Police service,	1	40	
Draw-tender service,	1	5	
Inspection service,	1	3	
Fire service,	1	21	
Janitor service,	1	2	115
		—	
Chelsea:—			
Clerical service,	1	1	
Police service,	1	7	
Police promotion,	1	1	9
		—	
Chicopee:—			
Police service,	1	10	10
		—	
Danvers:—			
Plumbing inspection service,	1	1	1
		—	
Everett:—			
Clerical service,	1	5	
Police service,	1	8	13
		—	
Fall River:—			
Clerical service,	1	41	
Clerical promotion,	2	2	
Police service,	1	39	
Foreman service,	1	8	90
		—	

APPENDIX.

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							Number of Examinations.	Number Examined.
Springfield : —								
Clerical service,							1	20
Police service,							1	19
Foreman service,							2	14
								<hr/> 53
Taunton : —								
Clerical service,							2	6
Plumbing inspection service,							1	1
Police service,							1	14
Police promotion,							2	2
								<hr/> 23
Waltham : —								
Clerical promotion,							2	2
Stenographer and type-writer service,							1	9
Foreman service,							1	3
								<hr/> 14
Worcester : —								
Clerical service,							1	48
Police service,							2	68
								<hr/> 116
								<hr/> 1,071

The whole number of persons examined for original appointments and promotions in the first division is as follows : —

For clerical service,	1,155
For clerical promotion,	7
For stenographer and type-writer service,	61
For plumbing inspection service in cities and towns,	9
For prison service,	51
For fire service,	286
For fire promotion,	32
For district police service,	6
For police service,	855
For police promotion,	22
For draw-tender and assistant draw-tender service,	30
For assistant draw-tender promotion,	1
For foreman and sub-foreman service,	120
For sub-foreman promotion,	1
For inspection service,	85
For school janitor service,	59
For truant officer service,	24
<hr/> 2,804	

The whole number passed is as follows : —

For clerical service, 629, or 54.46 per cent. of those examined.
 For clerical promotion, 7, or 100 per cent. of those examined.
 For stenographer and type-writer service, 46, or 75.41 per cent. of those examined.
 For plumbing inspection service in cities and towns, 6, or 67 per cent. of those examined.
 For prison service, 43, or 84.31 per cent. of those examined.
 For fire service, 163, or 57 per cent. of those examined.
 For fire promotion, 27, or 84.38 per cent. of those examined.
 For district police service, 4, or 67 per cent. of those examined.
 For police service, 535, or 62.57 per cent. of those examined.
 For police promotion, 21, or 95.46 per cent. of those examined.
 For draw-tender and assistant draw-tender service, 24, or 80 per cent. of those examined.
 For assistant draw-tender promotion, 1, or 100 per cent. of those examined.
 For foreman and sub-foreman service, 95, or 79.17 per cent. of those examined.
 For sub-foreman promotion, 1, or 100 per cent. of those examined.
 For inspection service, 47, or 55.30 per cent. of those examined.
 For school janitor service, 16, or 27.12 per cent. of those examined.
 For truant officer service, 12, or 50 per cent. of those examined.

The whole number appointed from those examined is as follows : —

In the clerical service,	125
By promotion in the clerical service,	7
In the stenographer and type-writer service,	34
In the prison service,	2
In the fire service,	61
By promotion in the fire service,	26
In the district police service,	2
In the police service,	286
By promotion in the police service,	28
In the draw-tender service,	2
By promotion in the draw-tender service,	1
In the foreman and sub-foreman service,	28
By promotion in the sub-foreman service,	1
In the inspection service,	33
In the plumbing inspection service,	6
In the school janitor service,	5

The average age of all the persons examined is about thirty-eight years.

Of the 1,677 persons who passed the examinations, 27 were college educated.

The whole number of veterans who passed examinations for original appointment is 12 ; the whole number of original appointments of examined veterans is 9, or at the rate of about 75 per cent. of those who passed.

The whole number of veterans examined for original appointment is 32 ; the whole number passed is 12, or 37.50 per cent. of those examined.

The whole number of unexamined veterans appointed is 116.

Following are the figures on which this statement is based : —

Boston prison service, . . .	1	-	14	1	-	10	-	34.10	-	42.75	51.00	-	10	-	5
Boston fire service, . . .	3	-	245	-	-	132	-	24.00	-	25.00	-	-	132	-	113
Boston fire promotion, . . .	-	-	32	-	-	27	-	35.60	-	49.00	-	-	27	-	5
Boston police service, . . .	3	-	267	-	-	141	-	27.68	-	28.16	-	-	139	2	126
Boston police promotion, . . .	-	-	4	-	-	4	-	40.00	-	-	-	-	4	-	-
Boston draw-tender and assistant draw-tender service, . . .	1	-	25	-	-	21	-	35.62	-	42.25	-	-	21	-	4
Boston assistant draw-tender promotion, . . .	-	-	1	-	-	-	-	32.00	-	-	-	-	1	-	-
Boston foreman and sub-foreman service, . . .	3	-	66	1	-	55	1	34.33	50.00	-	-	-	56	-	11
Boston sub-foreman promotion, . . .	-	-	1	-	-	1	-	34.00	-	-	-	-	1	-	-
Boston inspection service, . . .	3	-	77	3	-	41	1	35.97	51.00	34.40	56.00	-	42	-	38
Boston plumbing inspection service, . . .	-	-	1	-	-	1	-	30.00	-	-	-	-	1	-	-
Boston school janitor service, . . .	1	-	29	-	1	10	-	43.00	-	43.05	-	48.00	10	-	20
Boston truant officer service, . . .	1	-	24	-	-	12	-	38.08	-	37.75	-	-	12	-	12
	22	-	968	7	142	509	2	272	2	33	23.81	36.72	572	8	534
		40		1,117								54.17			
												30.75			
												40.55			
													580		537

* This examination was held at the request of the Governor, to fill the position of Inspector of boilers, and was confined to veterans of the war of the rebellion.

CLERICAL, STENOGRAPHER AND TYPE-WRITER, DRAW-TENDER, FOREMAN, INSPECTION, FIRE AND JANITOR SERVICES, CITIES OTHER THAN BOSTON, AND TOWNS, UNDER CHAPTER 455, ACTS OF 1894.

	NUMBER OF EXAMINATIONS.			NUMBER PASSED.			NUMBER APPOINTED FROM THOSE EXAMINED.			AVERAGE AGE OF THOSE PASSED.		AVERAGE AGE OF THOSE FAILED.	EDUCATION OF THOSE PASSED.		EDUCATION OF THOSE FAILED.	
	General Com- petitive.	Special Com- petitive.	Non-compet- itive.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Male Civilians.	Common School.	College.	Common School.	College.
Brockton, clerical.	1			1			1			18.00		24.33			1	1
Cambridge, clerical.	2			7			1			41.00		21.00			16	1
Cambridge, draw-tender.	1			37			4			39.33		22.28	4		2	
Cambridge, foreman.	1			5			1						3		1	
Cambridge, inspection.	1						1			38.67			2		1	
Cambridge, fire.	1			3			1			36.71			17		4	
Cambridge, janitor.	1			21			1			33.00		26.50	1		1	
Cambridge, clerical.	1			2			1						1		1	
Chelsea, clerical.	1			1			1						1		1	
Chicopee, clerical.	1			1			1						1		1	
Danvers, plumbing inspection.	1			1			1			48.00			1		1	
Everett, clerical.	1			5			1			28.00			1		1	
Fall River, clerical.	1			15			1			22.91			1		18	1
Fall River, clerical promotion.	1			2			5			30.50		26.64	12	1	1	
Fall River, foreman.	1			2			3			37.86			1		1	
Fitchburg, clerical.	1			4			5			67.50			10		3	
Haverhill, clerical.	1			1			1			60.00		24.50	4		1	
Holyoke, foreman.	2			2			2			44.00		19.33	4		1	
Holyoke, janitor.	1			21			1			37.75			1		23	
Lawrence, clerical.	1			9			1			28.50		55.00	8		2	
Lawrence, foreman.	1			1			1			51.00			1		1	
Lowell, clerical.	1			13			1			24.50			17		1	
Lowell, foreman.	2			17			10			38.25		21.00	12		5	
Lowell, inspection.	1			1			1						6		1	
Lynn, clerical.	1			2			1			33.50			1		1	
	2			6			5					28.60			1	

APPENDIX.

	58		465		317		106		14		36.49		38.78		317		148							
	39	2	17	233	9	223	138	2	177	60	5	41	14	35.18	51.00	23.28		37.04	55.50	23.81	311	6	144	4
Malden, clerical,	-	-	-	1	1	-	-	5	1	1	-	-	33.00	-	-	24.20	-	-	-	-	1	-	-	-
Malden, plumbing inspection,	1	-	-	-	-	5	-	15	1	-	-	-	48.00	-	-	23.33	-	-	19.00	5	16	-	-	
Medford, clerical,	1	-	-	4	-	16	-	3	2	-	-	-	29.33	-	-	-	-	-	-	3	3	-	-	
New Bedford, clerical,	1	-	-	6	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	
New Bedford, foreman,	1	-	-	1	-	-	-	11	-	1	-	-	-	-	-	23.00	-	-	23.00	10	-	-	-	
Newburyport, clerical,	1	-	-	1	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	4	-	-	-	
Newton, clerical,	1	1	-	7	-	11	-	4	1	1	-	-	29.75	-	-	-	-	-	38.00	4	-	-	-	
North Adams, clerical,	-	-	-	1	-	-	-	-	-	1	-	-	28.00	-	-	-	-	-	-	1	-	-	-	
North Adams, foreman,	-	-	5	5	-	-	-	-	2	-	-	-	32.50	-	-	19.00	-	-	31.00	2	-	-	-	
North Adams, plumbing inspection,	1	-	-	1	-	3	1	2	-	2	-	-	24.00	-	-	21.75	-	-	-	3	-	-	-	
Taunton, clerical,	1	-	-	-	-	4	-	4	-	2	-	-	-	-	-	-	-	-	-	4	-	-	-	
Quincy, clerical,	1	-	-	-	-	2	-	4	1	1	-	-	36.00	-	-	32.00	-	-	56.00	2	-	-	-	
Quincy, inspection,	1	-	-	2	1	4	1	4	1	1	-	-	33.00	-	-	27.50	-	-	21.00	5	-	-	-	
Salem, clerical,	1	-	-	6	1	4	1	8	1	3	1	-	20.50	-	-	21.88	-	-	-	11	1	-	-	
Somerville, clerical,	1	-	-	6	-	9	4	8	1	-	-	-	20.50	-	-	28.67	-	-	-	14	-	-	-	
Somerville, fire,	1	-	-	20	-	14	-	4	-	4	-	-	27.64	-	-	25.00	-	-	18.00	2	-	-	-	
Springfield, clerical,	1	-	-	1	-	19	-	18	-	4	-	-	-	-	-	42.00	-	-	-	12	-	-	-	
Springfield, foreman,	2	-	-	14	-	12	-	4	-	5	-	-	35.67	-	-	25.75	-	-	43.00	5	-	-	-	
Taunton, clerical,	1	-	-	1	-	5	-	4	1	1	-	-	39.00	-	-	39.00	-	-	-	1	-	-	-	
Taunton, plumbing inspection,	1	-	-	1	-	-	-	-	-	1	-	-	47.00	-	-	-	-	-	-	1	-	-	-	
Waltham, clerical,	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	
Waltham, clerical promotion,	-	-	-	1	-	-	-	-	-	1	-	-	38.00	-	-	-	-	-	-	1	-	-	-	
Waltham, promotion to agent,	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Board of Health,	-	-	-	1	-	-	-	-	1	1	-	-	35.00	-	-	-	-	-	-	1	-	-	-	
Waltham, stenographer and type-writer,	-	-	-	-	-	9	-	6	-	2	-	-	-	-	-	21.33	-	-	19.67	6	-	-	-	
Waltham, foreman,	1	-	-	-	-	-	-	-	-	-	-	-	42.50	-	-	50.00	-	-	-	3	-	-	-	
Worcester, clerical,	1	-	-	3	-	-	-	30	-	3	-	-	-	-	-	23.07	-	-	25.22	2	-	-	-	
Worcester, inspection,	-	-	-	-	-	48	-	-	-	-	-	-	-	-	-	-	-	-	-	30	-	-	-	
	39	2	17	233	9	223	138	2	177	60	5	41	14	35.18	51.00	23.28	37.04	55.50	23.81	311	6	144	4	

POLICE SERVICE, CITIES OTHER THAN BOSTON, AND TOWNS, UNDER CHAPTER 267, ACTS OF 1894.

	NUMBER OF EXAMINATIONS.		NUMBER EXAMINED.		NUMBER PASSED.		NUMBER APPOINTED FROM THOSE EXAMINED.		NUMBER OF UNEXAMINED VETERANS APPOINTED.	AVERAGE AGE OF THOSE PASSED.		AVERAGE AGE OF THOSE FAILED.		EDUCATION OF THOSE PASSED.		EDUCATION OF THOSE FAILED.	
	General Com- petitive.	Non-compet- itive.	Male Civilians.	Veterans.	Male Civilians.	Veterans.	Male Civilians.	Veterans.		Male Civilians.	Veterans.	Male Civilians.	Veterans.	Common School.	College.	Common School.	College.
Beverly,	1	-	12	-	9	-	8	1	4	28.11	-	31.00	-	9	-	3	-
Brockton,	1	-	23	-	18	-	12	-	4	30.72	-	33.40	-	18	-	5	-
Brookline,	1	-	13	-	9	-	5	1	-	26.67	-	32.50	-	9	-	4	-
Brookline, promotion,	-	6	6	-	6	-	2	-	1	38.33	-	-	-	6	-	-	-
Cambridge,	1	-	40	-	29	-	2	-	-	28.38	-	30.18	-	29	-	11	-
Chelsea,	1	-	7	-	7	-	3	-	2	31.71	-	-	-	7	-	-	-
Chelsea, promotion,	-	1	1	-	1	-	2	-	-	40.00	-	-	-	1	-	-	-
Chicopee,	1	-	10	-	6	-	4	-	-	30.83	-	31.00	-	6	-	4	-
Everett,	1	-	8	-	5	-	3	-	-	30.40	-	29.00	-	5	-	3	-
Fall River,	1	-	39	-	28	-	4	1	-	30.72	-	30.18	-	28	-	11	-
Fitchburg, promotion,	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
Gloucester,	1	-	7	-	5	-	4	-	-	29.80	-	31.00	-	5	-	2	-
Haverhill,	1	-	9	-	6	-	4	-	1	28.50	-	25.33	-	6	-	3	-
Haverhill, promotion,	-	1	1	-	1	-	1	-	1	40.00	-	-	-	1	-	-	-
Holyoke,	1	-	14	-	10	-	6	-	-	30.20	-	30.00	-	10	-	4	-
Holyoke, promotion,	-	1	1	-	1	-	2	-	-	42.00	-	-	-	1	-	-	-
Lawrence,	1	-	24	-	11	-	6	-	3	29.73	-	32.38	-	11	-	13	-
Lowell,	1	-	58	-	41	-	2	1	-	31.00	-	29.76	-	41	-	17	-

APPENDIX.

	47	606	411	181	46	32.36	31.05	411	195
Lowell, promotion,	1	1	1	2	-	37.00	-	1	-
Lynn,	1	36	31	2	5	30.03	33.30	31	3
Lynn, promotion,	2	2	2	3	2	46.00	-	2	-
Malden,	1	22	11	15	1	29.82	28.36	11	11
Malden, promotion,	3	3	3	3	-	34.00	-	3	-
Marlborough,	1	7	6	5	3	23.83	23.00	6	1
Medford,	1	8	6	-	-	30.67	-	6	2
New Bedford,	1	34	21	24	1	28.62	31.00	21	13
Newburyport,	1	7	6	6	4	29.67	28.00	6	1
Newburyport, promotion,	1	1	1	1	1	38.00	-	1	-
Newton,	1	28	27	4	-	28.20	35.00	27	1
North Adams,	1	32	15	6	-	28.60	30.47	15	17
Northampton,	2	11	6	-	1	28.33	29.80	6	5
Salem,	1	14	9	3	-	29.67	31.20	9	5
Somerville,	1	24	16	-	-	30.20	31.25	16	8
Springfield,	1	19	9	11	2	30.22	31.40	9	10
Taunton,	1	14	10	14	4	30.80	31.25	10	4
Taunton, promotion,	2	2	1	1	-	49.00	47.00	1	1
Woburn,	-	-	-	1	-	-	-	-	-
Worcester,	2	68	37	9	7	29.43	30.35	37	31
	29	606	411	181	46	32.36	31.05	411	195

	47	606	411	181	46	32.36	31.05	411	195
Lowell, promotion,	1	1	1	2	-	37.00	-	1	-
Lynn,	1	36	31	2	5	30.03	33.30	31	3
Lynn, promotion,	2	2	2	3	2	46.00	-	2	-
Malden,	1	22	11	15	1	29.82	28.36	11	11
Malden, promotion,	3	3	3	3	-	34.00	-	3	-
Marlborough,	1	7	6	5	3	23.83	23.00	6	1
Medford,	1	8	6	-	-	30.67	-	6	2
New Bedford,	1	34	21	24	1	28.62	31.00	21	13
Newburyport,	1	7	6	6	4	29.67	28.00	6	1
Newburyport, promotion,	1	1	1	1	1	38.00	-	1	-
Newton,	1	28	27	4	-	28.20	35.00	27	1
North Adams,	1	32	15	6	-	28.60	30.47	15	17
Northampton,	2	11	6	-	1	28.33	29.80	6	5
Salem,	1	14	9	3	-	29.67	31.20	9	5
Somerville,	1	24	16	-	-	30.20	31.25	16	8
Springfield,	1	19	9	11	2	30.22	31.40	9	10
Taunton,	1	14	10	14	4	30.80	31.25	10	4
Taunton, promotion,	2	2	1	1	-	49.00	47.00	1	1
Woburn,	-	-	-	1	-	-	-	-	-
Worcester,	2	68	37	9	7	29.43	30.35	37	31
	29	606	411	181	46	32.36	31.05	411	195

MASSACHUSETTS CIVIL SERVICE.

SUMMARY.

	NUMBER OF EXAMINATIONS.			NUMBER EXAMINED.			NUMBER PASSED.			NUMBER APPOINTED FROM THOSE EXAMINED.			AVERAGE AGE OF THOSE PASSED.			AVERAGE AGE OF THOSE FAILED.			EDUCATION OF THOSE PASSED.		EDUCATION OF THOSE FAILED.	
	General Com.	Special Com.	Non-competitive.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Females.	Male Civilians.	Veterans.	Females.	Common School.	College.	Common School.	College.
State clerical service, . . .	6	-	1	133	8	373	60	2	238	1	-	57	24.48	55.00	25.11	27.46	58.50	24.60	287	13	231	3
State clerical promotion, . .	-	-	2	-	-	2	-	-	2	-	1	1	-	-	32.00	-	-	-	2	-	-	-
Boston clerical service, . .	4	-	-	177	2	131	48	-	63	5	-	1	25.75	-	22.94	28.09	55.50	23.74	105	6	196	3
Boston clerical promotion, . .	-	-	1	1	-	-	1	-	-	1	-	-	24.00	-	-	-	-	-	1	-	-	-
Other cities, clerical service, .	21	2	4	95	2	214	46	1	171	17	5	39	33.86	51.00	23.38	34.68	56.00	24.13	212	6	89	4
Other cities, clerical promotion, .	-	-	4	4	-	-	4	-	-	5	-	-	34.50	-	-	-	-	-	4	-	-	-
State stenographer and type-writer service,	2	-	3	5	33	4	4	-	26	2	-	20	24.50	-	26.12	25.00	-	25.30	30	-	8	-
Boston stenographer and type-writer service,	2	-	-	4	10	4	4	-	6	8	-	2	24.00	-	24.67	-	-	20.50	10	-	4	-
Other cities, stenographer and type-writer service,	1	-	-	-	9	-	-	-	6	-	-	2	-	-	21.33	-	-	19.67	6	-	3	-
State health inspection service, .	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
State prison service, . . .	1	-	-	34	2	-	31	2	-	-	-	-	36.26	49.00	-	34.00	-	-	33	-	3	-
Boston prison service, . .	1	-	-	14	1	-	10	-	-	2	-	-	34.10	-	-	42.75	51.00	-	10	-	5	-
Boston fire service, . . .	3	-	-	245	-	-	132	-	-	57	-	-	24.00	-	-	25.00	-	-	132	-	113	-
Boston fire promotion, . . .	-	-	32	32	-	-	27	-	-	26	-	-	35.60	-	-	49.00	-	-	27	-	5	-

District police service, . . .	1	—	6	—	—	4	—	55.25	—	51.50	4	—	2
Boston police service, . . .	3	—	257	—	141	—	123	—	27.68	28.16	—	139	126
Boston police promotion, . . .	—	4	4	—	4	—	10	—	40.00	—	4	—	—
Other cities, police service, . .	29	—	588	—	334	—	163	—	29.66	30.43	334	—	194
Other cities, police promotion, .	—	18	18	—	17	—	18	—	40.48	47.00	17	—	1
Boston draw-tender and assistant draw-tender service, .	1	—	25	—	21	—	2	—	35.62	42.25	21	—	4
Boston assistant draw-tender promotion, . . .	—	1	1	—	1	—	1	—	32.00	—	1	—	—
Other cities, draw-tender service, .	1	—	5	—	3	—	—	—	39.33	53.50	3	—	2
Boston foreman and sub-foreman service, . . .	3	—	66	1	55	1	5	—	34.33	50.00	56	—	11
Boston sub-foreman promotion, .	—	1	1	—	1	—	1	—	34.00	—	1	—	—
Other cities, foreman service, . .	9	—	52	1	38	1	23	—	36.52	40.15	39	—	14
Boston inspection service, . . .	3	—	77	3	41	1	27	2	35.97	56.00	42	—	38
Other cities, inspection service, .	2	—	5	—	5	—	4	—	37.34	—	5	—	—
Boston plumbing inspection service, . . .	—	1	1	—	1	—	1	—	30.00	—	1	—	—
Other cities and towns, plumbing inspection service, . . .	—	8	8	—	5	—	5	—	40.13	43.33	5	—	3
Boston school janitor service, . .	1	—	29	—	1	10	3	—	43.00	43.05	10	—	20
Other cities, fire service, . . .	2	—	41	—	31	—	4	—	27.18	27.59	31	—	10
Boston truant officer service, . .	1	—	24	—	12	—	—	—	38.08	37.75	12	—	12
Other cities, school janitor service, . . .	3	—	23	6	6	—	2	—	35.38	39.76	6	—	23
	99	3	1,999	32	773	1,153	516	116	33.63	36.44	1,650	27	1,117
	183	—	2,804	—	—	1,677	647	116	36.59	39.26	1,677	—	1,127

NON-COMPETITIVE EXAMINATIONS.

During the year there have been held 18 non-competitive examinations for original appointments, as follows:—

One store-keeper for service at the Medfield Insane Asylum, there being no person on the eligible list possessing the special qualifications required.

Four clerks for service in cities other than Boston, there being no eligible lists and no applicants.

Two stenographers and type-writers for service in State institutions, there being no persons on the eligible list willing to accept the positions.

One stenographer and type-writer for service in a State department, there being no person on the eligible list possessing the required qualifications.

One foreman for service in North Adams, there being no eligible list and no applicants.

Nine plumbing inspectors for appointment in cities and towns in the Commonwealth, under the requirements of section 5 of chapter 455, Acts of 1894, — one for service in Boston, one for service in Danvers and seven for service in cities other than Boston. In these cases competitive examinations were not held, for the reason that, under said section, the boards of health or inspectors of buildings in cities and towns are directed to make the appointments, and the law requires only that the persons so appointed shall pass a civil service examination.

Respectfully submitted,

WARREN P. DUDLEY,

Secretary.

HENRY SHERWIN,

Chief Examiner.

LABOR SERVICE IN BOSTON.

During the year ending Sept. 30, 1896, 108 requisitions for laborers and mechanics have been received from the various departments of the city of Boston. In response to these requisitions, 2,365 certifications were made, from which 964 persons were employed. Of the whole number of certifications, 1,518 were made in response to calls from the Transit Commission, where the work was deemed so arduous by the applicants that only 638 of them accepted it, and many of these for but a short time only.

Sixteen of the requisitions, upon which were certified 411 names, were cancelled, the appointing powers failing to make any selection therefrom; among these names were those of 397 veterans of the war of the rebellion and 14 others without such credit.

Whole number of applications received,	3,230
Number of names restored from previous years,	1,836
Applicants registered during year ending Sept. 30, 1896,	1,394
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Whole number of persons registered,	3,230
Number registered with credit as veterans,	339
Number registered without credit as veterans,	2,891
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Percentage of those registered having credit as veterans,	10.50
Percentage of those registered not having credit as veterans,	89.50
Number of persons certified once,	1,563 = 1,563
Number of persons certified twice,	200 = 400
Number of persons certified three times,	69 = 207
Number of persons certified four times,	45 = 180
Number of persons certified five times,	3 = 15
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Whole number of persons certified,	1,880
Whole number of certifications,	2,365
Of whole number of certifications, there were of veterans,	442, or 18.69 per cent.
Of whole number of certifications, there were of others, not veterans,	1,923, or 81.31 per cent.
Number of persons employed, veterans,	35
Number of persons employed, not veterans,	929
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Percentage employed of veterans registered,	964
Percentage employed of others (not veterans) registered,	10.32
Percentage employed of whole number registered,	32.13
Percentage employed of veterans certified,	29.84
Percentage employed of others (not veterans) certified,	7.92
Percentage employed of whole number certified,	48.31
Percentage employed of whole number certified,	40.76

RECAPITULATION.

DEPARTMENTS.	Requisitions.	Number of Men called for.	NUMBER OF MEN CERTIFIED.		Total number certified.	NUMBER OF MEN EMPLOYED DURING THE YEAR ENDING SEPT. 30, 1896.						
			Veterans.			Others.		FROM REGISTER OF 1895-96.		Restored from Previous Rolls.	Transferred from Other Departments.	Total.
Street,	49	231	271	241	512	18	166	25	49	258		
Water,	21	105	64	127	191	6	107	25	18	156		
Public grounds,	7	35	91	31	122	1	16	-	8	25		
Lamp,	4	4	4	-	4	4	-	1	2	7		
Mt. Hope Cemetery,	2	5	1	8	9	1	3	-	-	4		
Fire,	3	4	4	1	5	3	1	-	-	4		
Park,	1	4	-	4	4	-	-	-	4	4		
Transit Commission,	21	985	7	1,511	1,518	2	636	-	1	639		
Improved sewerage,	-	-	-	-	-	-	-	1	-	1		
Wire,	-	-	-	-	-	-	-	-	1	1		
	108	1,373	442	1,923	2,365	35	929	52	83	1,099		

DISCHARGES.

DEPARTMENTS.	By Order of Civil Service Commis- sion.	Lack of Work.	Resigned and withdrew.	Bad Habits.	Incom- petent and Unsatis- factory.	Died.	Failed to report.	Transferred to Other De- partments.	Altenage.	No Cause assigned.	Total.
Street,	4	3	14	4	37	73	14	15	-	-	164
Water,	-	-	23	5	7	12	5	20	-	-	72
Public grounds,	-	-	4	-	-	-	-	16	-	-	20
Lamp,	-	-	2	-	-	6	-	1	-	-	9
Mt. Hope Cemetery,	-	2	1	-	-	-	-	1	-	-	4
Fire,	-	-	-	-	-	-	-	-	1	1	2
Park,	-	1	4	-	-	4	-	14	-	-	23
Transit Commission,	-	-	30	5	-	3	-	8	-	-	46
Improved sewerage	-	-	-	-	-	-	-	7	-	-	7
Health,	-	-	-	-	-	-	-	1	-	-	1
	4	6	78	14	44	98	19	83	1	1	348

With each succeeding year the number of persons registered with special qualifications as skilled laborers and mechanics increases, and at the present time over 40 per cent. of the whole number of applicants for labor registered in this division have filed certificates of ability for some special service, other than that of common labor.

For this class of work there has been a comparatively small demand, and consequently many of those so registered have not been certified, while of those registered for common labor, with very few exceptions, all have been certified one or more times.

The several registration clerks in the cities outside of Boston, in which the labor service rules apply, have filed reports of the work in their respective cities, which are hereto annexed.

Respectfully submitted,

WILLIAM L. HICKS,

Registrar of Labor.

LABOR SERVICE IN CAMBRIDGE.

TO WILLIAM L. HICKS, *Registrar of Labor, Civil Service Commission,
State House, Boston, Mass.*

SIR : — I herewith submit a full and complete report of the business of my office for the year ending Sept. 30, 1896.

During the year ending Sept. 30, 1896, 39 requisitions for mechanics and laborers were received from the several departments of the city of Cambridge.

By an ordinance approved July 15, 1896, the ambulance was transferred to the police department.

There were 869 certifications made, and all requisitions were free from any limit as to age.

The table of discharges accompanying this report shows that less than one and one-half per cent. of men employed were discharged for bad habits.

A detailed statement follows : —

Whole number of applications received,	854	
Number of names restored from register of 1890,	1	
Number of names restored from register of 1891,	3	
Number of names restored from register of 1892,	6	
Number of names restored from register of 1893,	8	
Number of names restored from register of 1894,	16	
Number of names restored from register of 1895,	341	
Applicants registered during 1896,	479	
	<hr/>	854
Number registered with credit as veterans,	38	
Number registered without credit as veterans,	816	
	<hr/>	854
Percentage of those registered having credit as veterans,	4.45	
Percentage of those registered not having credit as veterans,	95.55	
Number of persons certified once,	496	496
Number of persons certified twice,	119	238
Number of persons certified three times,	29	87
Number of persons certified four times,	7	28
Number of persons certified five times,	4	20
	<hr/>	
Whole number of persons certified,	655	<hr/>
Whole number of certifications,		869

Number of registered veterans certified,	31	
Number of registered veterans not certified,	7	
	<hr/>	38
Number of persons not veterans certified,	624	
Number of persons not veterans not certified,	192	
	<hr/>	816
		854
Of whole number of certifications there were of veterans,		
32, or	3.68	per cent.
Of whole number of certifications there were of others,		
837, or	96.32	per cent.
Number of persons employed, veterans,	26	
Number of persons employed, not veterans,	485	
	<hr/>	511
Percentage employed of veterans certified,	81.25	
Percentage employed of others (not veterans) certified,	57.94	
Percentage employed of veterans registered,	68.42	
Percentage employed of others (not veterans) registered,	59.43	
Percentage employed of whole number certified,	58.80	

RECAPITULATION.

DEPARTMENTS.	Requisitions.	Number of Men called for.	NUMBER OF MEN CERTIFIED.		Total Number certified.	NUMBER OF MEN EMPLOYED.		Total Number employed.	Restored and transferred by Commissioners.	Number on Roll Oct. 1, 1898.	Whole Number on Department Rolls to Oct. 1, 1898.	Number dropped from the Rolls.	Number at Present on the Rolls.
			Veterans.	Others.		Veterans.	Others.						
Almshouse,	1	1	—	1	1	—	1	1	—	49	50	1	49
Cemetery,	2	6	—	12	12	—	7	7	—	27	34	7	27
Health,	—	—	—	—	—	—	—	—	—	1	1	—	1
Lamp,	—	—	—	—	—	—	—	—	—	7	7	—	7
Park,	5	35	11	59	70	8	21	29	—	58	87	17	70
Police (drivers, patrol),	—	—	—	—	—	—	—	—	—	4	4	—	4
Police (drivers, ambulance),	—	—	—	—	—	—	—	—	—	3	3	—	3
Sewers,	5	107	5	209	214	4	83	87	—	67	154	48	106
Street,	4	29	5	52	57	5	27	32	—	233	265	46	219
Water works,	22	260	11	504	515	9	346	355	—	322	677	408	269
	39	438	32	837	869	26	485	511	—	771	1,282	527	755

DISCHARGES.

DEPARTMENTS.	Lack of Work.	Resigned and withdrew.	Bad Habits.	Incompetent and Unsatisfactory.	Died.	Failed to report and declined.	Transferred to Other Depart- ments.	Total Number discharged.
Almshouse, . . .	-	-	1	-	-	-	-	1
Cemetery, . . .	1	6	-	-	-	-	-	7
Health,	-	-	-	-	-	-	-	-
Lamp,	-	-	-	-	-	-	-	-
Park,	-	10	3	1	1	2	-	17
Police (drivers, pa- trol),	-	-	-	-	-	-	-	-
Police (drivers, am- bulance),	-	-	-	-	-	-	-	-
Sewers,	27	17	1	-	-	3	-	48
Street,	-	15	4	4	1	22	-	46
Water works, . .	230	63	6	20	5	84	-	408
	258	111	15	25	7	111	-	527

Respectfully submitted,

HARRY L. LINCOLN,
Registration Clerk.

LABOR SERVICE IN NEWTON.

To WILLIAM L. HICKS, *Registrar of Labor, Civil Service Commission,
State House, Boston, Mass.*

SIR: — I herewith submit a full and complete report of the business of my office for the year ending Sept. 30, 1896.

During the year ending Sept. 30, 1896, 14 requisitions for mechanics and laborers were received from the several departments of the city of Newton. There were 447 certifications made in response to requisitions which specified a limit of age at fifty years.

Of the total number of laborers and mechanics employed during the year, about 35.11 per cent. were for special service in the highway department for widening Washington Street, grade crossings and deepening of brooks; in the sewer department, for lowering sewers; and in the water department, for lowering and changing water pipe.

A table of discharges accompanying this report shows that only nine one-hundredths of one per cent. of men employed were discharged for bad habits.

Number of applications received,	471	
Number registered with credit as veterans,	6	
Number registered without credit as veterans,	465	
	<hr/>	471
Percentage of those registered having credit as veterans,	1.27	
Percentage of those registered not having credit as veterans,	98.73	
Number of persons certified once,	431	= 431
Number of persons certified twice,	8	= 16
	<hr/>	<hr/>
Whole number of persons certified,	439	
Whole number of certifications,		447
Number of registered veterans certified,	2	
Number of registered veterans not certified,	4	
	<hr/>	6
Number of persons registered (not veterans) certified,	431	
Number of persons registered (not veterans) not certified,	34	
	<hr/>	465
		<hr/>
		471

Of the whole number of certifications there were,	
of veterans,	2, or 45 per cent.
Of the whole number of certifications there were,	
of others,	445, or 99.55 per cent.
Number of persons employed, veterans,	1
Number of persons employed, not veterans,	352
	<hr/>
Total number employed,	353
Percentage employed of veterans certified,	50.00
Percentage employed of others (not veterans) certified,	79.10
Percentage employed of veterans registered,	16.66
Percentage employed of others (not veterans) registered,	75.70

RECAPITULATION.

DEPARTMENTS.	Requisitions.	Number of Men called for.	NUMBER OF MEN CERTIFIED.		NUMBER OF MEN EMPLOYED.		Total Number certified.	Restored and transferred by Commissioners.	Number on Roll Oct. 1, 1895.	Whole Number on Department Rolls to Oct. 1, 1896.	Number dropped from the Rolls.	Number at present on the Rolls.
			Veterans	Others.	Veterans.	Others.						
Highway,	7	155	1	251	1	212	252	5	408	626	137	489
Sewer,	4	95	1	135	-	108	136	3	184	295	113	182
Water,	3	54	-	59	-	32	59	2	100	134	62	72
Health,	-	-	-	-	-	-	-	-	1	1	-	1
Police patrol,	-	-	-	-	-	-	-	-	1	1	-	1
	14	304	2	445	1	352	447	10	694	1,057	312	745

DISCHARGES.

DEPARTMENTS.	Lack of Work.	Resigned and withdrew.	Bad Habits.	Incompetent and Unsatisfactory.	Died.	Failed to report and declined.	Transferred to Other Departments.	Total Number discharged.
Highway, . . .	10	87	7	13	—	18	2	137
Sewer, . . .	25	45	—	3	—	37	3	113
Water, . . .	25	25	3	3	1	—	5	62
	60	157	10	19	1	55	10	312

Respectfully submitted,

THEODORE A. FLEU,

Registration Clerk.

LABOR SERVICE IN NEW BEDFORD.

TO WILLIAM L. HICKS, *Registrar of Labor, Civil Service Commission,
State House, Boston, Mass.*

SIR : — I herewith submit a full and complete report of the business of my office for the year ending Sept. 30, 1896.

During the year 341 new names have been added to the register, which, together with those restored from previous years, have proved amply adequate for the needs of the labor service in this city. Requisitions have been received from the several departments for 169 persons, and in response thereto the names of 289 persons have been certified; among the names certified were those of 13 veterans and 276 others who were not so credited.

Of the 13 veterans certified, all were employed. Of the 276 others, 156, or 56.52 per cent., were employed. Of the whole number certified, 169, or 58.47 per cent., were employed.

There were 113 discharges from the various departments during the year, 27 of which were because of a lack of work and 86 because of resignations and withdrawals from the work.

Respectfully submitted,

RUFUS H. WILLIS,

Registration Clerk.

LABOR SERVICE IN EVERETT.

TO WILLIAM L. HICKS, *Registrar of Labor, Civil Service Commission,
State House, Boston, Mass.*

SIR : — I herewith submit a full and complete report of the business of my office for the year ending Sept. 30, 1896.

On Jan. 1, 1896, the civil service rules were made applicable to the labor service of the city of Everett, and during the nine months in which they have been in force there have been registered for employment 122 persons, of whom 7 were veterans and 115 others were without such credit.

Of those registered, 83 persons, or 68 per cent of the total registration, were certified and employed in the various departments, 4 of whom were veterans.

During the same time the discharges have been as follows : —

For bad habits,	3
For unsatisfactory service,	3
For failing to report and declining work,	17
Resigned,	10
Total,	33

Respectfully submitted,

CHARLES J. MORGAN,

Registration Clerk.

Commonwealth of Massachusetts.

[Chapter 320, Acts of 1884.]

AN ACT TO IMPROVE THE CIVIL SERVICE OF THE COMMONWEALTH
AND THE CITIES THEREOF.*Be it enacted, etc., as follows :*

SECTION 1. The governor shall with the advice and consent of the council appoint three persons to be civil service commissioners, who shall serve, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the first day of July in the year eighteen hundred and eighty-four, and until their respective successors are appointed and qualified; and in the year eighteen hundred and eighty-five and in every year thereafter, the governor shall, in May or June, in like manner appoint one person to serve as such commissioner for three years from the first Monday in the July then next ensuing, and until his successor is appointed and qualified. Any vacancy in the office of commissioner shall be filled for the unexpired term by appointment as above provided. All appointments, both original and to fill vacancies, shall be so made that not more than two commissioners shall, at the time of any appointment, be members of the same political party. The governor may also, with the advice and consent of the council, remove any commissioner. Each commissioner shall be paid five dollars for each day's service, and his traveling and other necessary expenses in the discharge of his official duty.

Civil service
commissioners
to be appointed.

Not more than
two commis-
sioners to be of
same political
party.

SECT. 2. The said commissioners shall prepare rules not inconsistent with existing laws or with the provisions of this act, and adapted to carry out the purposes thereof, for the selection of persons to fill offices in the government of the Common-

Commissioners
to prepare
rules.

Rules subject to approval of governor and council.

Annual report to the general court,
Amended,
c. 393, § 5, Acts of 1894.

Vender of liquor or person using same to excess.

Person convicted of offence.
As amended by c. 334, Acts of 1888.

Recommendations.

Officials not to solicit contributions for political purposes.

wealth and of the several cities thereof, which are required to be filled by appointment, and for the selection of persons to be employed as laborers or otherwise in the service of the Commonwealth and of the several cities thereof. All rules so prepared shall be subject to the approval of the governor and council, and they may, with like approval, be from time to time altered or rescinded. The said commissioners shall supervise the administration of the rules so established; they shall from time to time suggest to the general court such legislation as may seem to them to be desirable for the efficient carrying out of the principles of this act, and for the improvement of the civil service; and they shall, on or before the tenth day of January in every year, report to the general court their doings during the preceding year, including any rules adopted under the provisions of this section.

SECT. 3. No person habitually using intoxicating beverages to excess shall be appointed to, or retained in any office, appointment or employment to which the provisions of this act are applicable; nor shall any vender of intoxicating liquor be so appointed or retained.

SECT. 4. No person shall be appointed to or employed in any office to which the provisions of this act are applicable within one year after his conviction of any offence against the laws of this Commonwealth.

SECT. 5. No recommendation of any person who shall apply for office or place under the provisions of this act, which may be given by any senator, member of the house of representatives, alderman or councilman, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any appointment under this act.

SECT. 6. No councillor, senator, representative, alderman or councilman, or any officer or employee of either of said bodies, and no executive or judicial officer of the state, and no clerk or employee of any department or branch of the government of the state, and no executive officer, clerk or employee of any department of any city government shall personally, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political purpose whatever; but this shall not be construed to forbid such persons to be members of political organizations or committees.

SECT. 7. No person shall, in any room or building occupied for the discharge of official duties by any officer or employee of the state or any city thereof, solicit in any manner whatever, or receive, any contribution of money or any other thing of value for any political purpose whatever.

Solicitations not to be made in buildings used for official duties.

SECT. 8. No officer or employee of the state, or any city thereof, shall discharge, or promote, or degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten to do so, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

Officers not to be affected by refusal to contribute.

SECT. 9. No officer, clerk or other person in the service of the state or any city thereof shall, directly or indirectly, give or hand over to any other officer, clerk or person in said service, or to any councillor, senator, member of the house of representatives, alderman, councilman, or commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

No officer to give money to another officer for political object.

SECT. 10. No person in the service of the state or any city thereof shall use his official authority or influence either to coerce the political action of any person or body or to interfere with any election.

Political action not to be coerced.

SECT. 11. No person in the public service shall for that reason be under any obligation to contribute to any political fund or to render any political service, and shall not be removed or otherwise prejudiced for refusing to do so.

Public officers not obliged to contribute to political fund.

SECT. 12. No person while holding any public office or in nomination for, or while seeking a nomination or appointment for any office, shall corruptly use, or promise to use, either directly or indirectly, any official authority or influence (whether then possessed or merely anticipated), in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary, upon the consideration or condition that the vote or political influence or action of the last named person, or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

Corrupt methods of procuring nominations, etc.

SECT. 13. No city in the Commonwealth shall pay any bill incurred by any official or officials thereof for wines, liquors or cigars; nor shall any city pay any bill for refreshments fur-

Wines, etc., furnished city officials not to be paid for by city.

nished to any official of said city where the amount for any one day shall exceed one dollar for each member of the government of said city who certifies over his own signature to the correctness of the bill.

General rules.

SECT. 14. The rules mentioned in section two may be made from time to time, and may be given a general or a limited application, and they shall, among other things, provide:—

First, For the classification of the offices and employments to be filled.

Second, For open competitive and other examinations by which to test applicants for office, or for employment, as to their practical fitness to discharge the duties of the positions which they desire to fill.

Third, For the filling of vacancies in offices in accordance with the results of such examinations and for the selection of persons for public employment in accordance with such results, or by order of application, or otherwise, as may seem most desirable to carry out the provisions of this act.

Fourth, For promotions in office on the basis of ascertained merit and seniority in service and examination as may seem desirable. (In all cases where it is practicable vacancies shall be filled by promotion.)

Fifth, For a period of probation before an appointment or employment is made permanent.

Sixth, For giving preference in appointments to office and promotions in office to applicants who served in the army or navy of the United States in time of war and have been honorably discharged therefrom.

Amended, c. 473,
Acts of 1889,
and c. 517,
Acts of 1896.
See page 62.

Officers not affected.

As amended by
c. 95, Acts of
1893, and c. 502,
Acts of 1896.

SECT. 15. Judicial officers and officers who are elected by the people, or a city council, or whose appointment is subject to confirmation by the executive council of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers, heads of any principal departments of the Commonwealth or of a city, the employees of the treasurer of the Commonwealth, the employees of the board of commissioners of savings banks, and of the treasurer and collector of taxes of any city, two employees of the city clerk of any city, teachers of the public schools, the secretaries and confidential stenographers of the governor or of the mayor of any city, shall not be affected as to their selection or appointment by any rules made as aforesaid, but such rules shall apply to members of the police and

fire departments, other than police and fire commissioners and chief marshals, or chiefs of police and fire departments.

SECT. 16. No question in any examination under the rules established as aforesaid shall relate to political or religious opinions or affiliations, and no appointment or selection to an office or for employment within the scope of the rules established as aforesaid shall be in any manner affected or influenced by such opinions or affiliations. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed. The examination of applicants for employment as laborers shall relate to their capacity for labor, their habits as to industry and sobriety, and the necessities of themselves and their families.

No examination concerning political or religious opinions.

Examinations to be practical.

SECT. 17. Every application, in order to entitle the applicant to appear for examination or to be examined, must state the facts under oath on the following subjects: 1. Full name, residence and post-office address. 2. Citizenship. 3. Age. 4. Place of birth. 5. Health and physical capacity for the public service. 6. Right of preference by reason of military or naval service. 7. Previous employment in the public service. 8. Business or employment and residence for the previous five years. 9. Education. Such other information shall be furnished as may reasonably be required touching the applicant's fitness for the public service.

Statements to be made by applicants for examination.
As amended by c. 183, Acts of 1889.

SECT. 18. No person in the public service shall wilfully and corruptly, by himself or in coöperation with one or more other persons, defeat, deceive, or obstruct any person in respect of his or her right of examination; or wilfully, corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing; or wilfully or corruptly make any false representations concerning the same or concerning the person examined; or wilfully or corruptly furnish to any person any special or secret information, for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, being appointed, employed or promoted.

Persons in public service not to obstruct any one in respect of right of examination, nor to furnish secret information.

SECT. 19. All rules established as hereinbefore provided, and all changes therein, shall forthwith be printed for distribution by said commissioners, and a certified copy thereof shall be sent to the mayor of each city to which such rules or changes therein re-

Rules to be printed and distributed.
As amended by c. 253, Acts of 1888.

late, and the same shall be published in one or more newspapers, and in any such publication of rules shall be specified the date, not less than sixty days subsequent to the date of such publication, when such rules shall go into operation, and thereafter all appointments to office and selections for employment shall be made according to said rules in cases to which said rules apply.

Chief examiner
to be appointed.
As amended by
c. 177 and 351,
Acts of 1889.

SECT. 20. The said commissioners may appoint a chief examiner, who shall, under their direction, superintend any examination under this act, and shall perform such other duties as they may prescribe. Such chief examiner shall receive a salary of three thousand dollars a year, and shall be paid his necessary travelling expenses incurred in the discharge of his official duty. They may also employ a secretary, at a salary of two thousand dollars a year. They may designate persons in the official service of the Commonwealth, or of any city, who shall, with the consent of the head of department or office in which any such person serves, act in any examination held under this act. But no person shall serve as examiner of candidates for office, under the provisions of this act, when any relative or connection by marriage, within the degree of first cousin, shall be an applicant. The said commissioners may also incur such expense, not exceeding fifteen hundred dollars a year, as may be proper for printing and stationery and other incidental matters.

Secretary.

Expenses of
commissioners.

C. 2, Resolves
1885.
C. 34, Resolves
1892.

SECT. 21. The said commissioners shall be provided, under the direction of the governor and council, with an office, properly furnished, in the state house or Commonwealth building, suitable for the performance of the duties imposed by this act.

Name and
residence of
every person
appointed, etc.,
to be reported to
commissioners.

SECT. 22. The name and residence of every person appointed, employed or promoted to or in any position coming within the rules established as herein provided, except laborers, together with the name or description of such position and the subsequent rejection or discharge of every such person, shall forthwith be reported to the said commissioners by the officer making such appointment, promotion, rejection or discharge, or providing such employment.

Commissioners
to keep records.

SECT. 23. The said commissioners shall keep records of all their proceedings and of all examinations made by them or under their authority, and all recommendations of applicants for office received by said commissioners or either of them, or by any officer having authority to make appointments to office or to employ laborers, or others coming within the scope of the

rules established as aforesaid, shall be kept and preserved, and all such records and recommendations shall, subject to such reasonable regulations as may be approved by the governor and council, be open to public inspection.

SECT. 24. Whoever, after a rule has been duly established and published according to the provisions of this act, makes an appointment to office or selects a person for employment contrary to the provisions of such rule, or wilfully refuses or neglects otherwise to comply with or to conform to the provisions of this act, or violates any of such provisions, shall be liable to a penalty of not less than one hundred nor more than one thousand dollars for each offence. [*Approved June 3, 1884.*]

Penalty.

[Chapter 352, Acts of 1889.]

AN ACT PLACING ENGINEERS AND OTHERS HAVING CHARGE OF
STEAM BOILERS IN SCHOOL BUILDINGS IN THE CITY OF BOSTON
UNDER CIVIL SERVICE RULES.

Be it enacted, etc., as follows:

SECTION 1. Engineers, janitors and all persons having charge of steam boilers and furnaces in the school buildings in the city of Boston shall be classified and appointed pursuant to the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, entitled, "An Act to improve the civil service of the Commonwealth and the cities thereof," and the rules of the civil service commissioners made and established thereunder.

Certain engineers and janitors in Boston placed under civil service rules.

SECT. 2. This act shall take effect upon its passage. [*Approved May 21, 1889.*]

[Chapter 140, Acts of 1891.]

AN ACT TO AUTHORIZE THE CIVIL SERVICE COMMISSIONERS TO
SUMMON WITNESSES AND TAKE TESTIMONY.

Be it enacted, etc., as follows:

The civil service commissioners or any of them, in all cases requiring investigation by them, may summon witnesses in behalf of the Commonwealth, and may administer oaths and take testimony in such cases. The fees of such witnesses for attend-

The civil service commissioners may summon witnesses and take testimony.

ance and travel shall be the same as for witnesses before the superior court, and shall be paid from the appropriation for the incidental expenses of the commissioners. Any justice of the superior court, either in term time or vacation, upon application of the commissioners, may in his discretion compel the attendance of such witnesses and the giving of testimony before the commissioners in the same manner and to the same extent as before said court. [*Approved March 28, 1891.*]

[Chapter 95, Acts of 1893.]

AN ACT TO DEFINE EXEMPTIONS FROM THE CIVIL SERVICE RULES.

Be it enacted, etc., as follows :

Section fifteen of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four is hereby amended by striking out in the first line of said section, the words "elective or", by inserting after the words "and officers", in said first line, the words:—who are elected by the people or a city council or,—by striking out in the third line, the words "a city council or a school committee", and inserting in place thereof the words:—of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers,—by striking out after the word "principal", in the fourth line, the words "department in", and inserting in place thereof the words:—departments of the Commonwealth or of,—by striking out in the fourth, fifth and sixth lines, the words "officers for the faithful discharge of whose duties a superior officer is required to give bonds", and inserting in place thereof the words:—the employees of the treasurer of the Commonwealth, and of the treasurer and collector of taxes of any city, two employees of the city clerk of any city,—by striking out in the seventh line, the words "private secretary", and inserting in place thereof the words:—secretaries and confidential stenographers,—by striking out in the eighth line, the words "election or", and inserting after the word "selection", in said line, the words:—or appointment,—by inserting after the word "commissioners", in the eleventh line, the word:—and,—by striking out in said eleventh line, the words "superin-

tendents and ", by striking out after the word " marshals ", in the twelfth line, the words " of police departments and chief engineers of ", and inserting in place thereof the words : — or chiefs of police and, — so as to read as follows : — *Section 15.*

Judicial officers and officers who are elected by the people, or a city council, or whose appointment is subject to confirmation by the executive council of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers, heads of any principal departments of the Commonwealth or of a city, the employees of the treasurer of the Commonwealth, and of the treasurer and collector of taxes of any city, two employees of the city clerk of any city, teachers of the public schools, the secretaries and confidential stenographers of the governor or of the mayor of any city, shall not be affected as to their selection or appointment by any rules made as aforesaid, but such rules shall apply to members of the police and fire departments, other than police and fire commissioners and chief marshals, or chiefs of police and fire departments. [*Approved March 17, 1893.*]

Officers and employees exempted from civil service rules.

[Chapter 253, Acts of 1893.]

AN ACT PLACING TRUANT OFFICERS IN THE CITY OF BOSTON
UNDER CIVIL SERVICE RULES.

Be it enacted, etc., as follows :

SECTION 1. All truant officers hereafter appointed by the school committee of the city of Boston, as provided in section eleven of chapter forty-eight of the Public Statutes, shall be classified and appointed pursuant to the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and the rules of the civil service commissioners made and established thereunder.

Appointment and classification of truant officers in Boston.

SECT. 2. This act shall take effect upon its passage. [*Approved April 24, 1893.*]

[Chapter 267, Acts of 1894.]

AN ACT EXTENDING THE PROVISIONS OF THE CIVIL SERVICE
ACT TO TOWNS HAVING A POPULATION OF TWELVE THOUSAND
INHABITANTS OR OVER.

Be it enacted, etc., as follows :

SECTION 1. The provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-

Provisions of civil service act extended.

four entitled, "An act to improve the civil service of the Commonwealth and the cities thereof", and of all acts in amendment thereof and in addition thereto, are hereby extended and made applicable to all towns of the Commonwealth having a population of twelve thousand inhabitants or over.

SECT. 2. This act shall take effect in any such town upon its acceptance by a majority of the legal voters of said town present and voting thereon at a town meeting called for the purpose. [*Approved April 17, 1894.*]

[Chapter 376, Acts of 1895.]

AN ACT TO AUTHORIZE THE APPOINTMENT OF A REGISTRAR OF LABOR.

Be it enacted, etc., as follows :

Civil service commissioners may appoint a registrar of labor.

SECTION 1. The civil service commissioners are authorized to appoint a registrar of labor, who shall under their direction supervise the administration of civil service rules applicable to the public labor service of the Commonwealth or any city thereof. He shall receive an annual salary of two thousand dollars and be allowed his actual travelling expenses incurred in the discharge of his official duties. The salary and travelling expenses for the current year shall be paid from the appropriation for clerical assistance and travelling expenses of the civil service commissioners as authorized by chapter thirteen of the acts of the present year.

SECT. 2. This act shall take effect upon its passage. [*Approved May 11, 1895.*]

[Chapter 256, Acts of 1896.]

AN ACT RELATIVE TO APPOINTMENTS IN THE BOSTON FIRE DEPARTMENT.

Be it enacted, etc., as follows :

Appointments in Boston fire department.

SECTION 1. All call members in the Boston fire department who have served three or more successive years in said service shall, upon application to the civil service commissioners, be placed upon the eligible list for appointment as permanent men, without any further examination. The fire commissioner may at his discretion appoint such men on the permanent force,

at the same salary as a permanent man who has served three or more years in said service.

SECT. 2. This act shall take effect upon its acceptance by the city government of the city of Boston. [*Approved April 9, 1896.*]

[Chapter 424, Acts of 1896.]

AN ACT RELATIVE TO THE QUALIFICATIONS OF FIREMEN.

Be it enacted, etc., as follows :

SECTION 1. Persons five feet five inches in height, and over, shall be eligible to appointment on the fire force of the city of Boston, if otherwise qualified; and no rules shall be made by the civil service commissioners in conflict with the provisions of this section.

Qualifications of firemen in Boston.

SECT. 2. This act shall take effect upon its passage. [*Approved May 21, 1896.*]

[Chapter 449, Acts of 1896.]

AN ACT RELATIVE TO THE EMPLOYMENT OF LABORERS IN THE CITIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows :

SECTION 1. So much of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and the amendments thereto as relates to the employment of laborers by cities, and that portion of the civil service rules of the Commonwealth and the cities thereof as authorized by said acts and designated therein as the "Labor Service", shall not take effect in cities of less than one hundred thousand population, except upon acceptance by the city council of such city, with the approval of its mayor: *provided*, that the city council of such cities shall establish rules under which veterans of the late war of the rebellion shall be given the preference in employment.

Employment of laborers in cities.

SECT. 2. This act shall take effect upon its passage. [*Approved May 28, 1896.*]

[Chapter 502, Acts of 1896.]

AN ACT RELATIVE TO THE CIVIL SERVICE OF THE COMMONWEALTH AND THE CITIES THEREOF.

Be it enacted, etc., as follows :

SECTION 1. Section fifteen of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-

1884, 320, § 15, etc., amended.

Officers and employees exempted from civil service rules.

four, as amended by chapter ninety-five of the acts of the year eighteen hundred and ninety-three, is hereby amended by inserting after the word "Commonwealth", in the ninth line, the words:—the employees of the board of commissioners of savings banks,—so that the section as amended will read as follows:—*Section 15.* Judicial officers and officers who are elected by the people, or a city council, or whose appointment is subject to confirmation by the executive council of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers, heads of any principal departments of the Commonwealth or of a city, the employees of the treasurer of the Commonwealth, the employees of the board of commissioners of savings banks, and of the treasurer and collector of taxes of any city, two employees of the city clerk of any city, teachers of the public schools, the secretaries and confidential stenographers of the governor or of the mayor of any city, shall not be affected as to their selection or appointment by any rules made as aforesaid, but such rules shall apply to members of the police and fire departments, other than police and fire commissioners and chief marshals, or chiefs of police and fire departments.

SECT. 2. This act shall take effect upon its passage.
[Approved June 5, 1896.]

[Chapter 517, Acts of 1896.]

AN ACT RELATIVE TO THE PUBLIC SERVICE OF THE COMMONWEALTH AND THE CITIES AND TOWNS THEREOF, AND THE EMPLOYMENT OF VETERANS THEREIN.

Be it enacted, etc., as follows:

The word "veteran" defined.

SECTION 1. The word "veteran", in this act shall mean a person who served in the army or navy of the United States in the time of the war of the rebellion and was honorably discharged therefrom.

Veterans may apply for examination for positions in the public service.

SECT. 2. Veterans may apply for examination for any position in the public service classified under chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and acts in amendment thereof, and the civil service rules thereunder, subject to said rules; and if such veterans pass the examination they shall be preferred in appoint-

ment to all persons not veterans; and it shall be the duty of the civil service commissioners to cause the names of veterans passing examination to be placed upon the eligible list for the position sought, in the order of the respective standing of such veterans, above the names of all applicants not veterans. The commissioners shall cause to be certified to the appointing officers for appointment the names of all such veterans in preference to applicants not veterans, so long as there are names of veterans upon the eligible list, and the appointment shall be made from the list so certified. But nothing herein contained shall be construed to prevent the certification and employment of women.

Commissioners to cause veterans to be certified in preference to applicants not veterans.

SECT. 3. Veterans may apply for appointment to or for employment in any position in the public service, classified as aforesaid, without examination. In such application such veteran shall state under oath such facts as may be required by the civil service rules. Age, loss of limb or other physical impairment, which shall not in fact incapacitate, shall not disqualify such veteran from appointment under this section. Appointing officers may by requisition call for the names of any or all such veterans so applying without examination, and appoint or employ any of them in the office or position sought.

Veterans may apply for appointment without examination.

SECT. 4. The civil service commissioners, within five days after the final markings upon any examination of applicants for positions in the public service, shall cause a list of the names of applicants passing the examination, to be prepared, showing the standing of each obtained in the examination; they shall also within five days after any certification of persons for appointments or employment, cause a list of the names of the persons so certified to be prepared, and said lists shall be open to public inspection during the office hours of the commissioners.

List of applicants passing examination to be prepared, etc.

SECT. 5. No veteran holding an office or employment in the public service of any city or town of the Commonwealth shall be removed or suspended, or shall without his consent be transferred from such office or employment, except after a full hearing before the mayor of such city or before the selectmen of such town, and at such hearing the veteran shall have the right to be present and to be represented by counsel. Such removal, suspension or transfer shall be made only upon the written order of the mayor or of the selectmen.

Veterans not to be removed without a hearing.

Commissioners
to establish
rules.

SECT. 6. The civil service commissioners shall establish rules to secure the employment of veterans in the labor service of the Commonwealth and of the cities and towns thereof, in the class for which they make application, in preference to all other persons, except women. The civil service commissioners may recognize an age limit in certifying persons for employment in the labor service, provided the appointing officer shall certify in his requisition that the work to be performed is so arduous as to require the services of young and vigorous men, and provided also that the commissioners shall upon investigation become satisfied that such certificate is true. In towns and cities in which the civil service act and the rules of the civil service commissioners have not been applied to the labor service the selectmen of the towns and the city councils of the cities shall take such action as may be necessary to secure the employment of veterans in the labor service of their respective towns and cities, in preference to all other persons, except women. Citizens of Massachusetts who have distinguished themselves by gallant and heroic conduct while serving in the army or navy of the United States, and who have received a medal of honor from the president of the United States, shall be deemed to be veterans under the meaning of this act and shall receive all the benefits thereof.

Certain persons
to be deemed
veterans.

Penalty.

SECT. 7. Whoever violates any provision of this act shall be punished by a fine of not less than one hundred nor more than one thousand dollars for each offence.

Repeal.

SECT. 8. Chapter four hundred and thirty-seven of the acts of the year eighteen hundred and eighty-seven, chapter four hundred and seventy-three of the acts of the year eighteen hundred and eighty-nine, chapter five hundred and nineteen of the acts of the year eighteen hundred and ninety-four, the words "other qualifications being equal", in the sixth clause of section fourteen of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, and chapter five hundred and one of the acts of the year eighteen hundred and ninety-five, are hereby repealed.

SECT. 9. This act shall take effect upon its passage. [*Approved June 9, 1896.*]

Commonwealth of Massachusetts.

OPINION OF THE SUPREME JUDICIAL COURT IN THE CASE OF BROWN *v.* CIVIL SERVICE COMMISSIONERS.

FIELD, C. J. In determining the principal question in this case, it is necessary to consider the statutes relating to the civil service, and particularly St. 1895, c. 501. The previous statutes on the subject are St. 1884, c. 320; St. 1887, c. 437; St. 1889, c. 352; St. 1889, c. 473; St. 1891, c. 140; St. 1893, c. 95; St. 1893, c. 253; St. 1894, c. 267; and St. 1895, c. 376. The justices of this court heretofore have had occasion to consider some of these statutes in an opinion given to the House of Representatives on Feb. 24, 1885, and in one given to the Governor and Council on Sept. 22, 1887. (See 138 Mass. 601; 145 Mass. 587.)

By St. 1884, c. 320, § 2, the Civil Service Commissioners to be appointed under the act were authorized to prepare rules not inconsistent with existing laws or with the provisions of the act and adapted to carry out the purposes thereof, for the selection of persons to fill certain offices in the government of the Commonwealth and of the several cities thereof which are required to be filled by appointment, and for the selection of persons to be employed as laborers or otherwise in the service of the Commonwealth and of the several cities thereof, and the rules were made subject to the approval of the Governor and Council; and by § 14 the rules were to be given a general or limited application. The commissioners have prepared rules with reference to what is called the official service of the Commonwealth and of the several cities thereof, and with reference to the labor service, and these rules have been approved by the Governor and Council. Under the classification of the services made by the rules there are included in the first division, schedule A, clerks and other persons rendering services as copyists, etc., and in schedule B, persons employed in the prison, police and fire departments and some other officers. The second division includes the labor service. Section 15 of

the St. of 1884, as amended by the St. of 1895, c. 95, describes the offices which, under existing laws, cannot be made subject to the civil service rules. It is obvious that the civil service statutes and rules relate only to certain subordinate offices and employments which have been created by the Legislature. None of them is an office or employment of which the duties, tenure or qualifications are prescribed by the Constitution.

In the present case the petitioner is not a veteran, and, after examination, was placed at the head of the list of candidates eligible for certification and appointment to a position on the detective force of the district police of the Commonwealth, and he remained at the head of the list until July, 1895, when the commissioners placed one Edward D. Bean at the head of the list and reduced the petitioner to the second place. Bean had made application as a veteran under St. 1895, c. 501, § 2, and, having been found to be a veteran, was, without examination, placed first upon the list; and, so far as appears, he is the only veteran on the list. The district police are appointed by the Governor of the Commonwealth, and are subject to removal by the Governor. (Pub. Sts., c. 103, § 1.) If the Governor makes requisition upon the commissioners for a candidate for appointment to the office of a detective upon this police force, it is made the duty of the commissioners, by the St. of 1895, to certify the name of Edward D. Bean for appointment, and of the Governor to appoint him, if he appoints anybody. The Governor perhaps may refuse to appoint anybody, if he is of opinion that Bean is not qualified to perform the duties of a detective on this force; or he may wait until more veterans than one are on the list of persons eligible to such an appointment, and make his selection from them; or he may appoint Bean, and remove him if he finds him incompetent. But then, if Bean is continued on the list and is the only veteran on it, or if his application is considered as exhausted by one certification and he makes a new application, the statutes, literally construed, make it the duty of the commissioners to put his name again at the head of the list for appointment, and on requisition by the Governor again to certify him for appointment, and so on, *toties quoties*, so long as he remains on the list.

It is to be noticed that the class of veterans as defined by

the statutes is not a class which anybody can become qualified to enter by any services which he may perform or by any attainments which he may acquire, but it is a class fixed and determined by services which were rendered a long time before any of the statutes were passed. It is also to be noticed that the fact of having been a veteran within the meaning of the statute in and of itself has little tendency to show that the applicant is specially qualified to perform the duties of many of the offices to which the civil service statutes and rules relate. The principal purpose of exempting veterans from submitting to an examination must be that veterans sometimes may be appointed to an office or employment who would be found on examination not qualified to perform the duties of the office or employment which they seek. One, and perhaps the chief, purpose of the exemption must be to reward veterans for their services in the war of the rebellion. The reward is not in the nature of a pension or payment of money, but of an office or employment, the salary or pay of which the veteran is to receive. The provisions of the statutes exempting veterans are general in their nature, and relate to all the offices or employments that have been or may be included within the civil service rules. From the earliest times most nations have conferred honors and emoluments upon those persons who have rendered distinguished service to the State, particularly in war. These honors and emoluments have been conferred upon persons voluntarily selected by the legislative body or the sovereign power, and pensions and rewards sometimes have been given to whole classes of persons, of which the statutes of the Commonwealth relating to the "aid to soldiers and sailors and to their families," and the statutes of the United States relating to pensions, are well-known examples; but the statute of 1895 under consideration affords the first instance, so far as we know, in this Commonwealth, where the appointing power has been compelled to appoint persons of a certain class to office in preference to all other persons, whether they are or are not thought to be qualified for the office by the appointing power or by some public officer or some impartial and disinterested board of officers or persons invested by law with the power and responsibility of determining the qualifications of the persons to be appointed.

The Legislature, in establishing offices not provided for by

the Constitution, has often required that the persons or some of the persons to be appointed shall possess certain qualifications, or that some of them shall be women and some men ; but in all cases, so far as we are aware, the qualifications required bear such a relation to the duties imposed that they tend to secure that kind and degree of knowledge, experience and impartiality which are requisite for the satisfactory performance of their duties, and it is open to any person to acquire the qualifications required. When women are to be appointed, there is a satisfactory reason in the nature of the office or employment why this should be done. In every such case some discretion usually has been left to the appointing power in the selection of the particular persons to be appointed. The peculiarity of the civil service statutes and rules, if St. 1895, c. 501, §§ 2 and 6, be enforced, is that very little is left to the discretion of the appointing power in the selection of persons if there are veterans who wish to be appointed. The Civil Service Commissioners, in making up the lists and in certifying the persons to be appointed, must proceed in a certain way designated by the statutes and the rules, and the appointments must be made, if at all, from the persons so certified. Before the passage of St. 1895, c. 501, it was within the discretion of the appointing power whether veterans who had been put upon any list without an examination, pursuant to St. 1887, c. 437, should or should not be certified for appointment by the commissioners ; and it was also in the discretion of the appointing power, whether, if such veterans were certified, they should be appointed. But if veterans make application under St. 1895, c. 501, § 2, they are to be preferred "for certification and appointment in preference to all other applicants not veterans except women ;" and, as separate lists are made up for the different offices and employments, appointments from each list must be made from veterans, if any man is appointed and there are veterans on the list.

It ought perhaps to be considered whether it is intended that veterans who make application for employment in the public service under St. 1895, c. 501, §§ 2 and 6, shall not only file a petition in accordance with § 6, but shall also conform in their application to the requirements of the second section of Rule XII. of the civil service rules, pursuant to § 2. We are of opinion that it was the intention of the statute that the application under this statute of a veteran who does not wish to sub-

mit to an examination should be made in accordance with the requirements of both the second section of Rule XII. of the civil service rules and § 6 of the statute. (See opinion in 145 Mass. 587.)

It may perhaps be doubted whether it is the intention of the statute of 1895 that, if a veteran makes application pursuant to § 2, his application shall be taken to be conclusively true, or that the commissioners shall inquire into the truth of the statements contained in the application. St. 1891, c. 140, gives the commissioners ample power to make investigation in all cases requiring it, and the only question is, what is the intention of the St. of 1895? The commissioners must of necessity inquire and determine whether an applicant is a veteran according to the meaning of this statute, otherwise he has no right to make the application under § 2. We have, however, found it unnecessary in the present case to determine whether the commissioners may also inquire into the truth of the statements made in the application to the effect that he has not suffered loss of limb or other physical impairment which incapacitates him from performing the duties of the position which he seeks; that he is a citizen of the United States; that he does not habitually use intoxicating beverages to excess, and is not a vender of intoxicating liquor; and has not been convicted within one year of any offence against the laws of the Commonwealth. Whether they can make these inquiries or not, we are unable to see in the statutes any indication that the Legislature intended that the commissioners should examine a veteran who makes application under St. 1895, c. 501, §§ 2 and 6, with reference to his moral character, or his mental acquirements and capacity to perform the duties of the position which he seeks. If the commissioners were to do this, and were to certify to the appointing officer only such veterans as they found to be of good moral character and mentally as well as physically qualified to perform the duties of the position which they seek, there would be little difference under this statute between the position of veterans who desire an appointment without having passed any examination and that of those who submit themselves to an examination. We think the intention of the statute of 1895 is that the sworn statement of the applicant that he is qualified to perform the duties of the position which he seeks, accompanied by a certificate from three citizens of good repute in the community that

they know said applicant to be fully competent to perform such duties, is to be taken by the commissioners for the purpose of certification to the appointing power, and by the appointing power as conclusive upon the mental and moral qualifications of the applicant. The certificate of three citizens is not required to be under oath, and it may be made by any three persons of good repute whom the applicant may select; it is not made under any sense of official responsibility, and the persons making it are not required to be impartial or disinterested. They may be friends, or relations or servants of the applicant. The St. of 1895, c. 501, § 2, provides "that the age limit now established by the civil service rules with regard to appointments in the police and prison service and fire department may be applied to" appointments under this section; but this seems to be the only clear provision that the commissioners may exclude from certain offices and employments veterans who make the requisite application, accompanied by the requisite statement and certificate, and the exclusion can be made only on account of age in accordance with the age limit established by the civil service rules when St. 1895, c. 501, took effect.

It is the contention of the petitioner that the privileges given to veterans by St. 1895, c. 501, §§ 2 and 6, are in violation of the principles which underlie our system of government implied in the Constitution of the Commonwealth, and also are in violation of certain express provisions of the Constitution. The express provisions relied on are found in articles 6 and 7 of the Declaration of Rights, and reference is also made to article 9. It is not contended that article 9 in terms is applicable to the present case. This article is as follows: "All elections ought to be free; and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected for public employments." This article relates to elections and to inhabitants who have such qualifications as are established by the frame of government. The civil service statutes do not relate to elections or to any offices the qualifications for which are established by the Constitution, but the article, so far as it extends, does declare the principle that all persons having the requisite qualifications have an equal right to elect and to be elected to public office.

Article 7 is as follows: "Government is instituted for the

common good ; for the protection, safety, prosperity and happiness of the people ; and not for the profit, honor or private interest of any one man, family or class of men ; therefore the people alone have an incontestible, unalienable and indefeasible right to institute government ; and to reform, alter or totally change the same, when their protection, safety, prosperity and happiness require it." This article is declarative of the end of the institution of government. It may be said to be fairly within the intent of this article that public offices which are the instrumentalities of government ought not to be created or filled for the profit, honor or private interest of any one man, family or class of men, but only for the protection, safety, prosperity and happiness of the people, and for the common good.

Article 6 is as follows : "No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public ; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver or judge, is absurd and unnatural." From the conclusion of this article it is manifest that it is mainly directed against hereditary offices and privileges, but it is contended that this is not its whole purpose. It is said that the mention of corporations and associations of men shows that hereditary privileges were not solely intended, because corporations and associations of men have no heirs, although they may be perpetual. We think it obvious that, whatever may be the advantages or particular and exclusive privileges mentioned, they may include advantages and privileges for life or a definite period of time, as well as hereditary advantages and privileges. We think, for example, that a peerage for life, with the privileges which attach to a peerage by English law, cannot be conferred in this Commonwealth upon any person, any more than can an hereditary peerage.

It has been argued, on the one hand, that the words "other than what arises from the consideration of services rendered to the public" mean or include services which have been rendered to the public in the past ; and that if a man, corporation or association of men has rendered services to the public in the past, it is consistent with this article that he may obtain advan-

tages or particular and exclusive privileges in consideration of those services. On the other hand, it is argued that it is only in consideration of services to be rendered to the public therefor that a man, corporation or association of men may obtain advantages or particular and exclusive privileges. This provision is said to have been taken from the Declaration of Rights in the Constitution of Virginia of 1776, Art. IV., where it reads as follows: "That no man or set of men are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services, which, not being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary."

In our opinion, the meaning of these words in this article, so far as they are applicable to public officers, is that only in consideration of services to be rendered to the public therefor can a man, corporation or association of men obtain advantages or particular and exclusive privileges distinct from those of the community. A person may obtain the advantages or privileges attached to a public office in consideration of his performing the duties of the office. It is for the purpose of rendering service to the public in a public office that advantages and privileges distinct from those of the community may be obtained. The meaning of this article was somewhat considered in *Hewitt v. Charier*, 16 Pick. 353, and it was held that St. 1818, c. 113, was not in violation of the article. It was there held that the leading purpose of that statute was to guard the public against ignorance, negligence and carelessness in the practice of physic and surgery, and that the exclusive privileges granted to such persons as shall have been licensed by the officers of the Massachusetts Medical Society or have been graduated doctors of medicine from Harvard University were only incidental to the leading purpose of the statute. In that case, as in others where a license is required before any one can engage in certain professions or pursuits, a service is rendered to the public by the exercise on the part of those licensed of the skill, knowledge and experience required to obtain a license, and by the exclusion of ignorant and incapable persons from the profession or pursuit. But it may be questioned whether this article of the Declaration of Rights was intended to apply to private pursuits and employments, and whether it is not to be confined to political and civil rights and privileges.

The original St. of 1884, c. 320, concerning the civil service, required that the rules should provide: "For giving preference in appointments to office and promotions in office (other qualifications being equal) to applicants who served in the army or navy of the United States in time of war and have been honorably discharged therefrom." *Ibid.*, § 14. It may be said that, other qualifications being equal, there are reasons to believe that a veteran soldier or sailor often will make a better civil officer than a person who never has been subjected to the discipline of service in war; and it is distinctly a public purpose to promote patriotism and to make conspicuous and honorable any exhibition of courage, constancy and devotion to the welfare of the State, shown in the public service. These things, we assume, the Legislature may take into account in providing for appointments to office where the qualifications are not prescribed by the Constitution. The St. of 1887, c. 437, provides that veterans may be preferred for appointment to office or employment in the service of the Commonwealth or the cities thereof without having passed an examination under the civil service rules. This statute only gives a discretion to the appointing power, which it may or may not exercise, according to the needs of the public service. (See also St. 1889, c. 473.) St. 1895, c. 501, § 1, amending St. 1884, c. 320, § 14, makes compulsory the certification and appointment of veterans who have been examined and found qualified for the positions they seek, in preference to all other persons, but they must submit to the same examination as other persons. The constitutionality of this section of the statute is not now before us.

The purpose of St. 1895, c. 501, §§ 2 and 6, is to make the appointment of veterans compulsory, if they desire to be appointed, whether the appointing power or the commissioners think they are or are not qualified to perform the duties of the office or employment they seek. Section 6 requires a sworn statement of the applicant that he is qualified to perform the duties of the position he seeks; but it is notorious that persons the least qualified to perform the duties of an office often are the readiest to believe that they are qualified to perform them, and this provision cannot be seriously taken as a reasonable and adequate method of ascertaining the qualifications of applicants for office or employment. Probably it was because the Legislature felt that this requirement was not adequate that the

certificate of three citizens of good repute was also required. But the obvious defect in this requirement is that the applicant may select the three citizens, and they are not required to have any knowledge of the qualifications required, or to be disinterested or impartial, or to act under any sense of public responsibility. A man cannot properly be a judge in his own case, or make his servants and agents the judges. Such a certificate cannot be regarded as a reasonable, impartial and adequate method of determining the qualifications of applicants for appointment to office or employment, if it be necessary under the Constitution that all persons appointed to office or employment should be adjudged by somebody to be qualified to perform the duties of the office or employment.

The principal question of law in this case, broadly stated, is therefore as follows: Can the Legislature constitutionally provide that certain public offices and employments which it has created shall be filled by veterans in preferment to all other persons, whether the veterans are or are not found or thought to be actually qualified to perform the duties of the offices and employments by some impartial and competent officer or board charged with some public duty in making the appointments? If such legislation is not constitutional as regards public offices, the question incidentally may arise whether a distinction can be made between public offices and employments by the public which are not offices.

Public offices are created for the purpose of effecting the ends for which government has been instituted, which are the common good, and not the profit, honor or private interest of any one man, family or class of men. In our form of government it is fundamental that public offices are a public trust, and that the persons to be appointed should be selected solely with a view to the public welfare. In offices which are created by the Legislature, where the method of appointment is not prescribed by the Constitution, the Legislature can take upon itself the responsibility of selecting the persons to be appointed, or can confer the power of appointment upon public officers or boards or upon the inhabitants of cities, towns or districts; but we think that it is inconsistent with the nature of our government, and particularly with articles 6 and 7 of our Declaration of Rights, that the appointing power should be compelled by legislation to appoint to public offices persons of a certain class

in preference to all others, without the exercise on its part of any discretion, and without the favorable judgment of some legally constituted officer or board designated by law to inquire and determine whether the persons to be appointed are actually qualified to perform the duties which pertain to the offices.

There are many employments by the Commonwealth, or by the cities and towns of the Commonwealth, which do not constitute the employee a public officer. The work of the Commonwealth and of the cities and towns must be done by agents or servants, and much of it is of the nature of an employment. It is sometimes difficult to make the distinction between a public office and an employment, yet the title of "public officer" is one well known to the law, and it often is necessary to determine what constitutes a public office. Every copying clerk or janitor of a public building is not necessarily a public officer. With reference to such and similar employments it may be suggested that, if the Legislature can give pensions to veteran soldiers and sailors, it may grant them on condition that the pensioners shall render such service to the Commonwealth, or to its cities and towns, as they can; that they may be employed and paid wages or a salary, partly in consideration of the services they render, and partly in recognition of and as a reward for the services which they have rendered to the Commonwealth in the past. We have not found it necessary, however, in the present case, to consider the authority of the Legislature to grant pensions or pecuniary rewards for past services to the State, whether the pensions and rewards be absolute or conditional upon the rendering of some service, because, in our opinion, the persons appointed to the detective department of the district police force of the Commonwealth, under Pub. Sts., c. 103, and the acts in amendment thereof, are public officers, and not merely employees of the Commonwealth. They are appointed by the Governor for the term of three years, subject to removal by the Governor, and they "have and exercise throughout the Commonwealth all the powers of constables (except the service of civil process), police officers and watchmen, and may be transferred from one district to another in the discharge of their duties; and the Governor may at any time command their services in suppressing riots and in preserving the peace." They give bonds to the treasury of the Commonwealth, and receive a stated salary from the treasury

of the Commonwealth. They have and exercise some of the powers of government. We are of opinion that §§ 2 and 6 of St. 1895, c. 501, so far as they purport absolutely to give to veterans particular and exclusive privileges distinct from those of the community in obtaining public office, cannot be upheld as enactments within the constitutional power of the General Court.

The result is that the commissioners were not authorized by St. 1895, c. 501, §§ 2 and 6, to place without an examination the name of Edward D. Bean at the head of the list to be certified for appointment upon the detective force of the district police of the Commonwealth, in preference to all other applicants not veterans or women; and they should be commanded to strike his name from the list.

Mandamus to issue accordingly.

APRIL 25, 1896.

Commonwealth of Massachusetts.

OPINIONS OF THE JUSTICES OF THE SUPREME JUDICIAL COURT.

To His Honor the Acting Governor of the Commonwealth, and to the Honorable Council.

We, the undersigned justices of the supreme judicial court, in compliance with the order of the Council of June 16 last, and the request of the Acting Governor of June 20 last, copies of which are annexed, respectfully submit the following opinion.

The principal questions are whether sections 2, 3 and 6 of chapter 517 of the Acts of 1896 are within the constitutional power of the General Court. Sections 2 and 3 of the statute are substantially re-enactments of pre-existing statutes which were expressly repealed by section 8. (See St. 1887, c. 437; St. 1889, c. 473; St. 1895, c. 501, § 1.)

The authority given to the General Court by the Constitution to pass statutes on the subject has been often cited, and is found in Part II., c. 1, § 1, Art. 4, of the Constitution. So far as civil officers are concerned, it is full power and authority "to name and settle annually, or provide by fixed laws for the naming and settling all civil officers within the said Com-

monwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers and limits of the several civil and military officers of this Commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution." So far as public employments are concerned which do not constitute the employee a public officer, the authority is "to make, ordain and establish all manner of wholesome and reasonable orders, laws, statutes and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this Constitution, as they shall judge to be for the good and welfare of this Commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof."

Section 2 of the statute of 1896 authorizes veterans to apply for examination under the civil service statutes and rules, and provides that if such veterans pass the examination they shall be preferred in appointment to all male persons not veterans. The effect of the section is that the veterans must first be found qualified by an examination, in accordance with the civil service statutes and rules, to perform the duties of the office or employment which they seek; and, if they are found so qualified, they are to be preferred in appointment to all other persons except women. The General Court may have been of opinion that a person who had served in the army or navy of the United States in the time of the war of the rebellion and had been honorably discharged therefrom, or who was a citizen of Massachusetts and had distinguished himself by valiant and heroic conduct in the army or navy of the United States and had received a medal of honor from the President of the United States, is a person who has shown such qualities of character that it is for the interest of the Commonwealth to appoint him to certain offices or employments in preference to other male persons, if he is found otherwise qualified to perform the duties. The General Court may have so thought, on the ground either that such a person would be likely to possess courage, constancy, habits of obedience and fidelity, which are valuable qualifications for any public office or employment,

or that the recognition of the services of veterans in the way provided for by the statute would encourage that love of country and devotion to the welfare of the State which it concerns the Commonwealth to foster. If such was the opinion of the General Court, we cannot say that it was beyond its constitutional power to enact this section. Of the wisdom of such legislation we are not made the judges. The section does not purport to give an absolute preference to veterans without regard to their qualifications, and the constitutionality of similar legislation was not considered in the recent decision of the court of which we are the justices. (See *Brown v. Russell*, 166 Mass. 14.)

Section 3 of the statute of 1896 gives a discretion to the appointing power to appoint veterans to certain offices and employments without an examination, if in its opinion the needs of the public service require this to be done. Before the enactment of the civil service statutes the qualifications of the persons to be appointed or employed in the offices and employments covered by these statutes usually were left to be ascertained by the appointing power in such manner as it saw fit. The effect of this section is to permit veterans to be appointed to office or employment in the old way, if it seems best to the power having the right of appointment. It may be that the General Court was of opinion that there were certain offices and employments in which it was important that the appointee should have the qualifications usually found in veteran soldiers and sailors, and that the good of the public service would be promoted by giving this discretion to the appointing power. Undoubtedly this, like the preceding section, gives a certain advantage to veterans over other persons, in being appointed to office or employment; but the section implies that the veteran to be appointed shall be found qualified by the appointing power in its own way, and it was not intended to provide for the appointment of veterans who are not qualified to perform the duties pertaining to the office or employment which they seek. The section does not necessarily exclude the appointment of other persons, if the appointing power is of opinion that the appointment should be made under the civil service statutes and rules. We cannot say that this section is an enactment beyond the constitutional power of the General Court.

The constitutionality of section 6 of the act of 1896 depends,

we think, upon the meaning to be given to it. If the section means that the Civil Service Commissioners shall establish rules to secure the employment of veterans in the labor service of the Commonwealth and of the cities and towns, in preference to all other persons except women, which rules shall secure the employment of veterans, whether they are or are not found qualified to perform the labor which pertains to the service, and thus shall compel the Commonwealth and its cities and towns to pay wages to veterans for labor which they do not and cannot perform, we should have great difficulty in sustaining it as a constitutional enactment. This section does not relate to public offices, and, without suggesting that any distinction can be made between public offices and public employments in the matter we are considering, the section was passed under the authority given to the General Court to make all manner of wholesome and reasonable laws. We doubt whether a statute which purports to compel the Commonwealth and its cities and towns to employ in the labor service persons who are not able to perform the labor, and to pay them wages as laborers, could be held to be either wholesome or reasonable. But, if the section means that the Civil Service Commissioners shall establish rules to secure the employment of veterans in the labor service of the Commonwealth and its cities and towns in preference to all other persons except women, if the veterans are found competent to perform the labor, we think the enactment is within the constitutional power of the General Court. The civil service rules provide generally that applicants for the labor service who produce satisfactory evidence of their capacity for labor and their habits as to industry and sobriety shall be registered in the order of their application, at such convenient times and place or places as shall be designated by the commissioners. (Rule XLV., § 1.) The special regulations in relation to the employment of laborers and mechanics which have been adopted by the commissioners provide not only that the applicant must produce a certificate, signed by two reputable citizens of his city, of his capacity for labor and of his habits of industry and sobriety, but also that before entering the name of an applicant on the register such further inquiry may be made in regard to his character and capacity as the commissioners may deem practicable or expedient; and that, in case an applicant is found

to be unfit or in any way disqualified to perform the service which he seeks, his name shall not be entered on the register, and the reason therefor shall be endorsed on the applicant's statement. (Regulations 4, 7, 9.) These rules and regulations were adopted before the passage of the statute of 1896, and were contained in the reports of the Civil Service Commissioners to the General Court. It may be presumed that the General Court knew of the existence of these rules and regulations when they passed the statute of 1896; and the authority given by the sixth section to establish rules to secure the employment of veterans in the labor service in preference to all other persons except women, considered with reference to the existing statutes and rules, makes it reasonable to infer that the intention of the General Court was that the rules so established might provide for determining in some manner that the veterans who make application to be employed in the labor service should have the capacity to perform the labor involved in the service. The section should be so construed as to be within the constitutional power of the General Court, if it reasonably can be. Without unequivocal language to that effect, we should hesitate to impute to the General Court an intention to give to persons entirely incapacitated for labor an absolute right to be employed and paid in the labor service of the Commonwealth and of its cities and towns, as if they performed the labor. Such a provision would seem inconsistent with a purpose to promote efficiency in the public service and to legislate in the interest of all the people. The requirement that the commissioners shall establish rules to secure the employment of veterans "in preference to others" implies that the employment of veterans is to be regulated in the interest of the public service as well as to secure to them a preference, and that they are not to be employed in the labor service if they have not the ability to labor. It could hardly have been the intention of the General Court that women should be employed in the labor service who could not perform the labor, or that the proviso of St. 1896, c. 449, should give an absolute preference to veterans in employment, even although the veterans were incapable of performing the duties of the employment.

The sixth section of St. 1896, c. 517, does not purport to define what the preference shall be which the rules established by

the commissioners are to secure, but the preference intended is probably not greater than the preference conferred by the second and third sections of the statute.

Unless, then, the appointing officers call for the names of veterans for labor service whose qualifications have not been ascertained by the commissioners in any manner, we think that the commissioners may provide by rules for determining the qualifications of the veterans. Construing the sixth section in this way, we are of opinion that it is an enactment within the constitutional power of the General Court. Mr. Justice Holmes concurs in this construction of the section, but is not prepared to say that it would be unconstitutional upon a different construction.

The remaining questions relate to the civil service rules which the commissioners have prepared and submitted to the Acting Governor and Council for approval. We perceive no constitutional objection to the approval of these rules, although we think that the rule relating to the appointment of veterans in the labor service under the sixth section of the statute of 1896 might have made explicit provisions for determining the qualifications of the veterans who seek service under this section, unless the appointing officers call for veterans who have not submitted to anything in the nature of an examination.

WALBRIDGE A. FIELD.
OLIVER WENDELL HOLMES.
MARCUS P. KNOWLTON.
JAMES M. MORTON.

SEPT. 25, 1896.

To his Honor the Acting Governor of the Commonwealth and to the Honorable Council.

In the opinion of the undersigned, there is no difference in the constitutional principles which govern the selection of persons for public office and for public employment, and the reasons given in *Brown v. Russell*, 165 Mass. 14, for holding St. 1895, c. 501, §§ 2, 6, unconstitutional as to public offices, apply to public employments as well.

In both cases, the important matter is to get the best possible service, and the selections should be made with reference to the qualifications or fitness for the performance of the duties which

are to be performed. And, since this is so, it is not within the constitutional power of the Legislature to fix as a decisive test anything which does not bear such a relation to the duties to be performed as to show special fitness for the performance of those duties.

The fact of being a veteran, as defined in St. 1896, c. 517, does not bear such a relation to the duties of a present office or employment in the civil service of the Commonwealth that it can be made a decisive test in the selection of persons for such offices or employments. A veteran may or may not have special fitness for such positions. Certainly to have served honorably in the army or navy is not the only way in which one can acquire such fitness. However useful the training may be which many of the veterans received in the army or navy, it cannot be laid down as a universal proposition that every veteran who can pass the examination to which all applicants are subjected is better qualified for such office or employment than any other person now is or can become. The appointing power cannot be required to pass by cases of conspicuous fitness and to accept service of a lower character, simply because a veteran applies for the position. In requiring this to be done, the statute sets apart a class of persons who, in consequence of what they did in the war, and irrespective of present qualifications, are to be preferred, so that nobody else, however well fitted or however meritorious by reason of valuable or distinguished services in other occupations calling for fidelity and fortitude, can be considered as eligible for appointment, or can become eligible in the future, in competition with them. No matter what may have been the services, training and discipline, or what may be the natural ability or acquired skill of others, the power of selecting them for public office or employment is cut off. This involves a compulsory disregard of actual fitness and qualifications, to the detriment of the public service.

Nor can the fact that a veteran has passed the prescribed examination be made a decisive test in favor of his appointment. This may merely show that he has the *minimum* qualifications required, but cannot be made to entitle him to a compulsory preference over those who are better qualified.

It is, therefore, not within the constitutional power of the Legislature to enact that veterans shall be preferred for public office or employment to others who may have higher standing

or superior qualifications ; and the first and third questions are answered in the negative.

The second question is answered in the affirmative, for the reasons given in the opinion signed by a majority of the justices.

The fourth and fifth questions are answered in the negative, to the extent hereinbefore explained.

CHARLES ALLEN.

JOHN LATHROP.

JAMES M. BARKER.

Commonwealth of Massachusetts.

OFFICE OF CIVIL SERVICE COMMISSION,
ROOMS 151-152, STATE HOUSE, BOSTON, May 6, 1896.

Hon. H. M. KNOWLTON, *Attorney-General, Commonwealth Building, Boston.*

DEAR SIR:—General requisitions are received almost daily for certification of persons to fill positions in the various classes of the public service, classified under the civil service rules, without expression of a desire for the certification of veteran soldiers or sailors, or any one of them, under civil service Rule XII., prepared under chapter 437 of the Acts of 1887 (the soldier exemption act).

In view of chapter 501 of the Acts of 1895 (the veteran preference act), and especially of section 2, and of the recent decision, and opinion of the supreme judicial court in the suit of *Brown v. the Civil Service Commissioners*, in regard to that act, the commissioners respectfully request your official opinion upon the following questions:—

First. Whether, in certifications upon such requisitions (not calling for veterans) for positions classified and described in the three classes under Schedule A, civil service Rule VI., veterans who have applied for appointment to such positions without examination under section 2 of chapter 501 of the Acts of 1895 must be certified and appointed under said section, as construed by the supreme judicial court in said opinion?

Second. Under similar circumstances, must veterans applying under said section of the act of 1895 for positions in Class 1 of Schedule B, under civil service Rule VI., be certified and appointed?

Third. Must veterans so applying for positions in classes 5, 6, 7, 8, 9, 10 and 11 of said Schedule B, or in any of such classes, be certified and appointed?

Fourth. Where requisitions are made for public laborers and mechanics in Schedules C and D under civil service Rule XLIV. (not expressly calling for veterans), must veterans who have applied be certified and employed, in view of section 2 of chapter 501 of the Acts of 1895 and the opinion of the court thereon?

The commissioners enclose a copy of the opinion of the court referred to above.

Very respectfully yours, CHAS. THEO. RUSSELL,
Chairman.

Commonwealth of Massachusetts.

OFFICE OF THE ATTORNEY-GENERAL, BOSTON, May 26, 1896.

HON. CHARLES THEODORE RUSSELL, *Chairman Civil Service Commissioners.*

DEAR SIR: — Your letter of May 6 calls for my opinion as to whether §§ 2 and 6 of Sts. 1895, c. 501, in view of the case of *Brown v. Civil Service Commissioners*, 165 Mass., are in force with respect to certain offices and employments set forth in your letter. The four questions you propound comprehend practically the entire classification of offices and employments, which by your rules are required to be filled by certification from your department, excepting such as are plainly included within the terms of the decision in the case above quoted.

The opinion of the court in *Brown v. Civil Service Commissioners* does not hold that the veterans preference act is unconstitutional as to positions in the service of the Commonwealth, which are mere employments and are not offices. It only decides that the sections under considerations, "so far as they purport absolutely to give to veterans particular and exclusive privileges distinct from those of the community in obtaining public office, cannot be upheld as enactments within the constitutional power of the General Court." How far the Legislature may give preference to veterans in disposing of the many employments which it creates and provides for, but which do not constitute the employee a public officer, the court in express terms refrains from deciding.

But the reasoning of the court deals almost exclusively with the question of public offices. Throughout the opinion a clear distinction is made between public offices and public employments; and the decision of the court may be fairly said to turn upon the proposition, as stated in the opinion, that "it is inconsistent with the nature of our government, and particularly with articles 6 and 7 of our Declaration of Rights, that the appointing power should be compelled by legislation to appoint to public offices persons of a certain class in preference to all others, without the exercise on its part of any discretion, and without the favorable judgment of some legally constituted officer or board designated by law to inquire and determine whether the persons to be appointed are actually qualified to perform the duties which pertain to the offices."

There is no intimation in the opinion that the considerations which apply to public officers would also be applicable to mere employments. It is even suggested that such positions might be given to veterans "partly in consideration of the service they render, and partly in recognition of and as a reward for the services which they have rendered to the Commonwealth in the past."

Without venturing to express an opinion whether the distinction suggested is sound, or will be sustained by the court when the question is directly raised, I think, inasmuch as positions which are employments merely and are not public offices, are expressly excluded, not only from the reasoning of the opinion but from the decision, that it is the duty of your board to assume that the law is still in force as to such positions. The presumption in favor of legislative acts still binds your board, excepting so far as the court has plainly instructed you to the contrary.

This raises the important question, What are public offices? Here, again, the court abstains from laying down any general rule. Indeed, Field, C. J., expressly says "it is sometimes difficult to make a distinction between a public office and an employment." As is stated by the court, the terms "public office" and "public officer" are often used, and have acquired a well-understood signification. The difficulty lies in the application of general definitions to particular cases. The determination of an individual case, especially one that is near the line, may require an examination not only of the statutes bearing upon it, but of all the facts and circumstances connected

with it. I prefer, therefore, to answer your questions generally, leaving particular cases to be determined as they arise.

Among those who are declared with more explicitness by the court to be public officers may be mentioned the following: sheriff, *Fowler v. Beebe*, 9 Mass. 231; deputy sheriff, *Bucknan v. Ruggles*, 15 Mass. 180; coroner, *Nason v. Dillingham*, 15 Mass. 170; constable, *Elliott v. Willis*, 1 Allen, 461; public weigher of vessels, *Com. v. Woods*, 11 Met. 59; field driver, *Gilman v. Holt*, 4 Pick. 258; assessor, *Pease v. Smith*, 24 Pick. 122; surveyor of highways, *Williams v. Adams*, 3 Allen, 171; postmaster, *Keenan v. Southworth*, 110 Mass. 474; commissioners appointed by the governor, *Fitchburg Railroad Co. v. Grand Junction Co.*, 1 Allen, 582; town liquor agent, *Dwinells v. Parsons*, 98 Mass. 470; county commissioners, *New Haven and Northampton Co. v. Hayden*, 117 Mass. 433; district attorney, *Bullock v. Aldrich*, 1 Gray, 206; city physician, *Com. v. Swasey*, 133 Mass. 538; city engineer, *Chandler v. Lawrence*, 128 Mass. 213; town clerk and moderator, *Attorney-General v. Crocker*, 138 Mass. 218; road commissioner, *Clark v. Easton*, 146 Mass. 93; police officer, *Phillips v. Boston*, 150 Mass. 491, 494; and master of house of correction, and superintendent and instructor thereof, *O'Hare v. Jones*, 161 Mass. 391. On the other hand, the court says, in *Brown v. Civil Service Commissioners*, that "every copying clerk or janitor of a public building is not necessarily a public officer." From these illustrations, and upon general considerations, it may be said that a public officer is one who by the authority of the Legislature, either through appointment or election, is charged with a duty public in its nature, and which concerns the government of the State and the rights of its citizens. Whoever is entrusted with powers which concern the administration of the affairs of the Commonwealth or the rights of the public, and is appointed or elected to that duty under legislative authority, may be said to be a public officer. Whatever just criticism may be made upon this definition is yet, I apprehend, more properly directed against the attempt to define than the definition itself. It is not easy to lay down any rule which may not be subject to modifications in view of specific facts.

Applying these principles to the classifications referred to in your letter of inquiry, it is not difficult to decide that those included in the second divisions, Schedule C and D, to wit,

laborers, are not public officers. Nor can it be properly said, in my judgment, that those described in Schedule A, which includes clerks, copyists, recorders, bookkeepers, agents, etc., hold public office. So far as I am informed of the facts, I do not see how it may be said that foremen of laborers, engineers, janitors, persons having charge of steam boilers in school buildings, turnkeys, watchmen, drivers of prison wagons, gate-men or guards in public parks and ferries are public officers. The duties of all these are rather in the nature of employment than offices. They take no part in government. They do the work of the Commonwealth. They are its employees, not its officers.

On the other hand, truant officers, although exercising a limited jurisdiction, are yet charged with responsible and important duties. They are directed (St. 1894, c. 498, § 20) to make complaint for truancy, and to carry into execution the judgment thereon; to serve all legal processes issued by the court; also (§ 23) to apprehend and take to school without a warrant all truants found wandering about the streets. They are clothed with authority, and "have and exercise some powers of government." (Field, C. J., in *Brown v. Civil Service Commissioners*.)

The position of drawtender is also one which directly concerns the rights of the public. Pub. Sts. c. 53, § 30, provides that a drawtender shall have full control of passing vessels through the draw, having due regard for the public travel, and shall enforce the ordinances or by-laws relating to the same. This makes him, in my judgment, a public officer. (*Vid. Nowell v. Wright*, 3 Allen, 166.)

I am aware that in the foregoing distinctions I have not exhausted the list of positions upon which your letter calls for my opinion. To do so would require a more intimate knowledge of the statutes relating to those I have omitted, and the facts bearing upon the duties of them, than I now have. In referring to some classes, I did so rather by way of illustration of the general principles stated than as attempting to cover the whole ground. If cases arise which, notwithstanding the foregoing principles, seem to you to be doubtful, I will attempt to deal with them specifically, if desired.

Yours very truly,

HOSEA M. KNOWLTON,
Attorney-General.

Commonwealth of Massachusetts.

OFFICE OF CIVIL SERVICE COMMISSION,
ROOMS 151-152, STATE HOUSE, BOSTON, May 16, 1896.

Hon. H. M. KNOWLTON, *Attorney-General*.

DEAR SIR:—The Civil Service Commissioners request your official opinion upon the following facts:—

The civil service act (chapter 320 of the Acts of 1884), as amended by chapter 95 of the Acts of 1893, exempts from classification, among other officers, “heads of any principal departments of the Commonwealth or of a city.” Under the right recognized by the court in the opinion of the justices (138 Mass. 601) to give the rules and classification a limited application, the commissioners, in the classification of the public service, did not include superintendents, *eo nomine*, but in Class 6 of Schedule B, under civil service Rule VI., they did include “foremen and sub-foremen of laborers in the cities of the Commonwealth.”

The water commissioner of Boston and the street commissioner have created certain positions under them which they claim are superintendencies, and not positions as foremen, and claim that they do not come within the classification of the rules. These positions are not created by statute, or city ordinance, or other action of the city council. They are created and the duties defined wholly by the respective commissioner, at his will and discretion, and, as he claims, under his general authority to manage his department and regulate its form of business. They are newly created positions. The water commissioner of Boston has thus, without requisition, appointed M. J. O'Brien as “superintendent in the income division,” to have charge of the Deacon system and waste of the water department, with a salary of \$1,500 per annum. In reply to our request, the water commissioner has defined his duties in a communication to us, dated May 8, 1896, a copy of which we enclose, marked “Exhibit A.”

The superintendent of streets of Boston has appointed, without requisition, Edward Hayden as “superintendent of inspectors in the permit division” of his department, at a salary of \$1,500, and defines his duties in a communication to us, dated May 5, 1896, a copy of which we enclose, marked “Exhibit

B." He has also appointed, in the same manner, Timothy F. Murphy "superintendent of the patrol division of the street department," and defines his duties in a communication to us, dated May 5, 1896, a copy of which we enclose, marked "Exhibit C."

As the same general question is presented in these three appointments, and may arise in subsequent appointments, we call them to your attention together, for your official opinion. We do this for the purpose, so far as possible, of forming some general test or means of distinguishing a foreman, who is classified, from a superintendent or other superior officer, who is not classified. We assume that this depends upon the nature of the duties, rather than upon the official designation of the appointee. In view of the increasing number of these alleged "superintendents" in the departments of the city of Boston, we have selected these cases to submit to you, and beg to request your opinion upon the following questions:—

First. What, if any, is the distinction between a "superintendent" in a city department, under the commissioner or head of the department, and a "foreman," as classified in Class 6 of Schedule B, civil service Rule VI.?

Second. Upon the statement of the water commissioner (Exhibit A), was M. J. O'Brien legally appointed, without requisition, to his present position, or is the position outside the classified service?

Third. Upon the statement of the superintendent of streets (Exhibit B), was Edward Hayden legally appointed, without requisition, to his present position, or is he outside the classified service?

Fourth. Upon the statement of the superintendent of streets (Exhibit C), was Timothy F. Murphy legally appointed, without requisition, to his present position, or is he outside the classified service?

Yours very truly,

CHAS. THEO. RUSSELL,
Chairman.

[EXHIBIT A.]

OFFICE OF THE WATER COMMISSIONER,
CITY HALL, BOSTON, May 8, 1896.

WARREN P. DUDLEY, Esq., *Secretary, Civil Service Commission.*

DEAR SIR:—I have your letter in reference to the case of Superintendent O'Brien, who is at present in charge of the Deacon

system and waste of the water department. I should judge from your letter, where you say that he has only laborers under him, that you have not received full information in regard to his case. I forward you copy of the report of the city engineer on the question of waste, also extract from section 10 of chapter 488 of the Acts of 1895, "An act to provide for a metropolitan water supply," which show the importance of the waste division.

The organization of the division will be as follows: twenty to thirty laborers, among them experienced laborers; two to four foremen; some inspectors, a clerk, an engineer and a superintendent.

Superintendent O'Brien, while nominally carried in connection with the income division, is not responsible to the general superintendent of that division, but directly to myself.

I am of the opinion that the waste division of the service is of the utmost importance, and it is my intention to so administer it, both as regards present methods and future, as to make it one of the most vital branches of the department. This action is made necessary not alone by the power which the Metropolitan Water Board has received from the Legislature on the question of waste, and the report of the city engineer, but on sound business principles.

I am not aware of what the Civil Service Commission's definition of a superintendent may be; but, for the proper administration of the service of the water department, it seems to me that Superintendent O'Brien is one, not alone in name, but in work and responsibility.

Since receiving your letter I have been looking up the question of superintendents, as far as what constituted a superintendent, with my predecessor, Commissioner Smith; and if the rule under which he acted were to be applied to me, I could have superintendents without number. I say this because of the fact that there is now connected with the income division a superintendent, appointed in 1896, who is responsible to the general superintendent of the income division alone. He has charge of nobody, — in short, he is a general without an army. I have been informed that his appointment is satisfactory to the Civil Service Commission.

Very truly yours,

JOHN R. MURPHY,
Water Commissioner.

[Extract from Section 10 of Chapter 488 of the Acts of 1895.]

AN ACT TO PROVIDE FOR A METROPOLITAN WATER SUPPLY.

Said board . . . may inspect the water works and fixtures in any city or town supplied wholly or in part from the works under their charge, and may take all proper measures to determine the amount of water used and wasted and to prevent the improper use or waste of water.

[Extract from Report of City Engineer Jackson.]

Dry year capacity (gallons Cochituate),	41,500,000
Dry year capacity (gallons Mystic),	7,000,000
Total,	48,500,000

When Reservoir No. 5 is completed the dry year capacity will be increased 14,000,000 gallons.

	Average Daily Consumption, 1895.	Average Daily Consumption, 1896.	Per Cent. Increase over 1895.	AVERAGE MEAN MONTHLY TEMPERATURE.	
				1895.	1896.
	Gallons.	Gallons.			
January, . . .	61,004,200	73,747,100	20.9	28.8	24.9
February, . . .	71,858,300	77,817,400	8.3	24.6	28.6
March, . . .	61,418,900	77,065,600	25.5	34.6	31.9
April, . . .	54,712,200	68,264,400	24.9	46.0	47.2

Under these circumstances the water supply is liable, through waste, to become exhausted at any time.

[EXHIBIT B.]

STREET DEPARTMENT, CITY HALL,
BOSTON, May 5, 1896.

Civil Service Commission, State House Extension.

GENTLEMEN: — Replying to your inquiry in regard to my appointment of Edward Hayden as superintendent of inspectors in the permit division of this department, I would say that he has full control and supervision of the force of inspectors, clerks and messengers working on permits issued by this division to any division or department of the city, or to any corporation, company or citizen who requires a permit for the opening or use of the public streets. As previously stated, a number of this force are paid by the larger corporations, but are appointed by me and in the control of this division, and are to be responsible for the faithful performance of their duties to the superintendent of this division, making their reports to him or his clerk; and he is to be held responsible to me for the entire division force, making his reports directly to me. It is also within his duties to drive about the city and personally superintend work being done under the inspectors, and make his report to this office upon the condition of this work.

MASSACHUSETTS CIVIL SERVICE.

The work of the permit division of this department is not alone for the issuance of permits for openings of the public streets, for the telephone or telegraph conduits and other structures, gas or water pipes, railroad tracks or sewers, but also to master builders, contractors, drain layers, movers of buildings, people who wish to project a shelf, sign or awning over the sidewalk, and for numerous other things for which the Board of Aldermen issue an order. As previously stated in my letter of notice to you, I deemed it advisable to place a man of experience in charge of this division, as I felt justified in doing so on account of the increase of business.

Trusting that this explanation of the duties of the superintendent of this division will be satisfactory to your Honorable Board, I remain,

Yours respectfully,

BENJ. W. WELLS,

Superintendent of Streets.

[EXHIBIT C.]

STREET DEPARTMENT, CITY HALL,

BOSTON, May 5, 1896.

Civil Service Commission, State House Extension.

GENTLEMEN:—In reply to your communication of recent date, I would state that Timothy F. Murphy was appointed superintendent of the patrol division of the street department on the sixth day of March, 1896, and immediately took charge.

In this position he has full charge of the push-cart division of the entire city, and is responsible for the faithful performance of the work done by this division, personally visiting the several districts covered by the regular men daily, and none of his work is clerical in its nature.

I am at the present time contemplating the extension of the patrol service over the entire sections of the city (where block paving or asphalt constitutes the street surface), in addition to the regular sweeping force as now employed. If this is feasible upon the recommendations of the superintendent of the patrol division, it will necessitate the employment of an additional force of foremen and inspectors to that now employed in the street-cleaning division, to wit, nine. These latter are in the classified service.

During the greater part of the year the business and a part of the residential sections of the city are swept at night, and I deem it necessary to have this work followed up by the patrol division in the day time; and in order to accomplish this, I have placed Mr. Murphy to supervise the work done (as at present) by the inspectors and force of the patrol division, being responsible to me for the work performed by the patrol division of this department.

Respectfully,

BENJ. W. WELLS,

Superintendent of Streets.

Commonwealth of Massachusetts.

OFFICE OF THE ATTORNEY-GENERAL,
BOSTON, July 17, 1896.HON. CHARLES THEODORE RUSSELL, *Chairman*.

DEAR SIR:—Your letter of May 16 states certain facts with relation to three persons recently appointed to office in the city of Boston, without certification by your board, and asks my opinion as to whether, upon those facts, they were legally appointed in view of the statutes and rules relating to the civil service. Your letter further asks “what, if any is the distinction between a superintendent in a city department, under a commissioner or head of the department, and a foreman, as classified in Class 6 of Schedule B of civil service Rule VI.”

It is not always practicable to lay down general definitions sufficiently broad and precise to cover all possible cases that may arise. It has been the practice of this office to refrain from attempting to reply to inquiries calling for a statement of general principles; but rather to determine specific questions as they arise. The general question in your letter above quoted is within this rule. To undertake to lay down in advance a clear distinction between a superintendent and a foreman is not practicable nor necessary. It is possible, however, to establish some general principles of construction of the meaning and intent of the civil service statutes, and of the rules created by your board in pursuance of those statutes, which may be of assistance in the consideration of specific cases.

The civil service rules have, and are intended to have, only a limited application. Your board has not undertaken, in the classification established by its rules, to comprehend all the departments of public service with which under the statutes it is authorized to deal. This right of limited application is recognized by the court. (*Vid.* Opinion of the Justices, 138 Mass. 601.) Certain officers are excepted from the operation of the civil service rules by law. Sts. 1893, c. 95, expressly exempts, among others, “heads of any principal departments of the Commonwealth or of a city.” Subject to this and perhaps to some other exception in the same statute, all the appointive officers in a city government may be classified by your rules. I do not understand, however, that you have attempted so to include the entire civil service of cities. On the contrary, there

are many officers, not heads of principal departments, who are not classified under your rules. There are officers exercising duties of supervision, superintendence and inspection, who, on the one hand, do not come within the exception of the statutes exempting them from your rules; and who, on the other hand, are clearly not within the classification established by the rules. (*Visd.* Opinions of the Attorney-General, 1892, October 23; 1894, December 4.) So far as the question under discussion is concerned, your rules only attempt to classify such officers as are designated as "foremen and sub-foremen of laborers" and "inspectors of work."

I assume that your general inquiry is intended to suggest the question whether there is any intermediate ground between persons who are "heads of principal departments" under the statute of 1893, and who are thereby exempted from the rules, on the one hand, and "foremen and inspectors," on the other hand, who are in the classified service. If the classification of your board were intended to be comprehensive, there might be some ground for holding that it was intended to include all persons doing the work of superintendents, between the grade of a head of a principal department on the one hand, and actual laborers on the other hand. But your rules, as before stated, are intended to have a limited application only; and it cannot be said, therefore, that such intermediate superintendents are to be classed as foremen unless the meaning of the words "foremen" and "inspectors" actually require such an interpretation.

There is no absolute line of distinction between a superintendent and a foreman. A foreman is a superintendent in one sense of the word, and a superintendent may not be improperly called a foreman. But the word "foreman," in your rules, is to be taken in its usual and ordinary signification. As the word is commonly employed, it undoubtedly means a person who has immediate charge and oversight of a gang of laborers, directing them in their work and seeing that they keep at work. On the other hand, a superintendent, as applied to civil offices, is one who has charge and oversight of a department of government, either a principal or a subordinate department. He is an officer to whom is entrusted responsibility, judgment and skill. The distinction between a foreman under your rules and a superintendent was well suggested by my predecessor, Mr. Pillsbury, when he said, speaking of the rules of your

board, "it appears to me that the civil service act and the rules should, in general, be so construed as to distinguish between positions of routine, so to speak, which ordinarily do not involve administrative or discretionary powers, on the one hand; and, on the other, positions which involve the exercise of judgment, discretion, authority and responsibility; and that the general scheme is to include the former and not to include the latter class within the system." (Attorney-General's opinion, 1892, October 23.)

This general distinction seems to me to be sound. A foreman of laborers is entrusted only with the duty of seeing that his men keep at work. The meaning of this word is fixed and modified by the clause "of laborers" which follows and limits it. A superintendent has that general charge and oversight of the work of a department, especially in its relation to the public, for whose benefit the department was created; and, under the authority of his chief, if he himself is not the head of the department, represents the administration of the government.

The foregoing principles appear to be conclusive of two of the three cases submitted in your letter.

M. J. O'Brien has been appointed "superintendent in the income division" of the water department. His duties, as they appear by the letter annexed to your communication, the statements of which for the purposes of this inquiry I am to take as conclusive, are to have charge of the Deacon system and waste of the water department. This division employs twenty or thirty laborers, some of them experienced laborers; two to four foremen; some inspectors, a clerk and an engineer. This division is intended to enforce the provision of Sts. 1895, c. 488, § 10, which provides that the board "may inspect the water works and fixtures of any city or town supplied wholly or in part from the works under their charge, and may take all proper measures to determine the amount of water used and wasted and to prevent the improper use or waste of water."

On these facts I do not think that it can be properly said that O'Brien is merely a foreman of laborers. He has charge of a department of work comprising laborers, inspectors, a clerk and an engineer. His duties are not merely to see that laborers work faithfully; they comprehend the administration of the powers and duties of the government, so far as they relate to waste in the public water supply.

MASSACHUSETTS CIVIL SERVICE.

Edward Hayden has been appointed "superintendent of inspectors in the permit division" of the department of streets. His duties, as stated in the letter annexed to your communication, comprise the control and supervision of the force of inspectors, clerks and messengers working on permits issued by the permit division to any other department of the city, or to any corporation or company which requires a permit for the opening or use of the public streets. A number of this force are paid by corporations requiring the opening of the streets and are under his control. It is stated to be the further duty of Hayden to go about the city and superintend the work being done under the inspectors, and report to the superintendent of streets upon the condition of the work.

These duties obviously require not merely vigilance in keeping laborers at work, but oversight, discretion and judgment as to the general plan of the work to be done. On the facts I am unable to say that Hayden is within the classification of foreman of laborers; he is that and much more.

Timothy F. Murphy has been appointed "superintendent of the patrol division" of the street department. The letter annexed to your communication states that "he has full charge of the push-cart division of the entire city, and is responsible for the faithful performance of the work done by this division, personally visiting the several districts covered by the regular men daily."

This somewhat meagre enumeration of the duties of Murphy is not sufficient to enable me to determine whether he is anything more than a foreman, or not. Apparently his duties consist merely in seeing that the men under him keep at work. If so, he is a foreman of laborers, with sub-foremen under his charge, and should be appointed under the civil service rules.

It is further stated, in the letter which purports to enumerate his duties, that an extension of the system is contemplated, under which the entire city will be included in Murphy's department, and an additional force of foremen and inspectors employed. The letter to which I refer was dated May 9. Whether any such extension as is proposed in the letter has been made, or not, I have not been informed. If further consideration of Murphy's case is desired, I must request to be advised more fully upon the facts.

Very truly yours,

HOSEA M. KNOWLTON,
Attorney-General.

THE CIVIL SERVICE RULES

OF THE

COMMONWEALTH OF MASSACHUSETTS AND THE CITIES
THEREOF.

In accordance with the provisions of chapter 320 of the Acts of the year 1884, the following rules have been prepared for the selection of persons to fill certain offices in the government of the Commonwealth and of the several cities thereof, and for the employment of laborers in such cities; and all rules heretofore prepared and approved are hereby rescinded.

RULE I.

Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing officer or board. The power to remove or reduce, within the classified service, existing by law, on the part of any officer or board, is not impaired by anything contained in these rules.

Appointments and removals, responsibility for.

RULE II.

The commissioners will make and issue, from time to time, as the needs of the service require, such regulations as may be necessary for conducting the business of their office, for the instruction of their secretary, chief examiner and local boards of examiners, and for carrying out the provisions of these rules.

Regulations for carrying out rules.

RULE III.

1. For the purpose of making examinations of applicants, the commissioners will designate qualified persons to be members of boards of examiners, and may at any time substitute another person in place of any one so selected.
2. Whenever the special qualifications required for a position are such that assistance from experts in conducting an examination is advisable, such experts may be designated to

Commissioners to designate boards of examiners.

Experts to aid examiners in certain cases.

aid the examining board; and, so far as practicable, such experts shall be persons employed in the department to which the applicant seeks admission.

RULE IV.

Commissioners
to apply to
local authorities
for temporary
quarters, etc.

In order that suitable provision may be made for conducting examinations in the several cities, the commissioners will, from time to time, apply to the proper authorities thereof for temporary quarters and for clerical assistance in receiving and filing applications for appointment in the local service.

CLASSIFICATION OF THE SERVICE.

RULE V.

Classification,
two divisions.

1. The offices and places to be filled under these rules shall be classified in two divisions; the first to be known as "The Official Service of the Commonwealth and the several cities thereof;" the second as "The Labor Service."

Amendment.
Went into effect
Oct. 1, 1894.

2. The words "city" or "cities" in the civil service rules shall be construed to include and be applied to any town to which they may be applicable under chapter 267 of the Acts of 1894.

FIRST DIVISION.

RULE VI.

First division,
two Schedules,
A and B.

1. There shall be two schedules under the first division, known as Schedule A and Schedule B.

Schedule A.

Amendment.
See page 124.

2. Schedule A shall include the following classes:—

Class 1. Clerks, and other persons, under whatever designation, rendering services as copyists, recorders, book-keepers, agents, or any clerical, recording or similar service in the Commonwealth or the several cities, whether paid by time for work done, or by the piece, or in any other way, whose annual compensation is at a rate of less than eight hundred dollars.

Class 2. Persons occupying similar positions as those included in class 1, whose annual compensation is at the rate of eight hundred dollars and over.

Class 3. Inspectors, agents, almoners and all persons, under whatever designation, whose duties may be in part clerical.

Class 4. Stenographers and typewriters.

Class 5. Messengers, and all persons under whatever designation performing messenger service, either permanently or temporarily, in any city of the Commonwealth not included in any of the above classes under this schedule: *provided, however*, one messenger of the mayor in each city is excepted herefrom.

Schedule B.

3. Schedule B shall include the following classes:—

Class 1. Turnkeys, watchmen, drivers of prison wagons, and all others doing police duty in the prisons, houses of detention, reformatories and in all other public institutions and departments of the Commonwealth and the several cities, not included in classes 3 and 4 of Schedule B; also watchmen, gatemen and guards in the public parks and ferries.

Class 2. All members of the regular, permanent substitute and call forces of the fire department in the city of Boston.

Class 3. *a.* The detective force of the district police.

b. The inspection force of the district police.

c. The regular police force and all persons doing permanent police duty in and for and paid by any city of the Commonwealth, except the city of Boston.

d. The special, substitute or supernumerary police force and all persons doing temporary police duty in and for and paid by any city of the Commonwealth, except the city of Boston.

Class 4. All members of the regular and reserve police forces in the city of Boston.

Class 5. Engineers and assistant engineers, draw-tenders and assistant draw-tenders, employed on bridges in the cities of the Commonwealth.

Class 6. Foremen and sub-foremen of laborers in the cities of the Commonwealth.

Class 7. Inspectors of work, and all persons under whatever designation doing inspection service not included in Schedule A.

Class 8. Engineers, janitors and persons having charge of steam boilers and furnaces in the school buildings in the city of Boston.

Class 9. All members of the regular or permanent fire force of any city except Boston, and of any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, after the mayor and aldermen of such city or the selectmen of such town shall have requested the commissioners to include such force in the classified service.

Amendment.
Went into effect
Oct. 1, 1894.

Amendment.
Went into effect
as to engineers
Oct. 1, 1894.

Amendment.
Went into effect
Feb. 1, 1888.

Amendment.
Went into effect
Nov. 1, 1889.

Amendments.
Went into effect
March 1, 1893,
and May 1, 1895.

Amendment.
Went into effect
Nov. 1, 1893

Amendments.
Went into effect
Oct. 1, 1894, and
May 1, 1895.

Amendment.
See page 124.

Class 10. All truant officers in the city of Boston.

Class 11. Engineers, janitors and persons having charge of public school buildings heated by other means than direct furnace or stove heat, in any city except Boston, and in any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, after the school committee of such city or town shall have requested the commissioners to include such force in the classified service.

Class 12. Superintendents, assistant superintendents, deputies and other persons, under whatever designation, performing any of the duties of a superintendent, in any city of the Commonwealth or in any town of the Commonwealth accepting the provisions of chapter 267 of the Acts of 1894, excepting so far as the same are exempted by statute.

Class 13. Civil engineers, draughtsmen, transit men, levellers, chainmen, rodmen and all assistants, under whatever designation, except laborers, employed in any city of the Commonwealth or in any town accepting the provisions of chapter 267 of the Acts of 1894.

Class 14. The aids and other persons, under whatever designation, employed in detective service in the office of the State Fire Marshal.

QUALIFICATIONS.

RULE VII.

State service,
residence of
applicants.

1. Applicants for appointment to any position in the service of the Commonwealth, to which these rules apply, must be citizens of the United States who have resided in the Commonwealth for one year next preceding the date of their application. But this restriction shall not apply to positions in which special expert knowledge is required.

City service,
residence of
applicants.

2. Applicants for appointment in the service of a city must be citizens of the United States, who have resided in the Commonwealth for one year and in the city in which they seek service for six months next preceding the date of their application, except where special qualifications are required, and the appointing officer requests in writing that the examination be open to persons who are not citizens or residents.

RULE VIII.

Disqualifica-
tions for ap-
pointment, §§ 3,
4, c. 320, 1884.

No application for appointment will be received from any vender of intoxicating liquor, or any person habitually using

intoxicating beverages to excess; or any person who, within the year preceding his application, has been convicted of any offence against the laws of this Commonwealth.

RULE IX.

1. A good moral character is an essential qualification, and is of paramount importance in determining an applicant's right to admission to the eligible list. Moral character.

2. The burden of proof of good character shall in all cases be upon the applicant, who may be required by the commissioners to furnish evidence thereof additional to the certificates required in his application. Burden of proof.

3. Failure by the applicant to prove good character shall exclude him from examination and from the eligible list; and proof at any time produced to the commissioners of the bad character or dissolute habits of an applicant or eligible, of any criminal or disgraceful act committed by him, or his dismissal for good cause from the public service, shall be sufficient to exclude him from examination or to remove his name from the list of eligibles. Failure to prove good character.

4. No person shall be so excluded from examination, and no one shall be removed from the eligible list, under this rule, except after an opportunity to be heard and upon a finding of the commissioners and a record thereof, containing the names of the commissioners voting therefor and a statement of the grounds of their action. Applicant entitled to a hearing.

RULE X.

1. In Schedule A there is no requirement as to age, height and weight, except that female applicants must be not less than eighteen years of age at the time of filing the application. Amendment as to age. Went into effect Oct. 1, 1894.

2. In Schedule B there shall be the following requirements of age, height and weight:—

a. In class 1 (the prison service) there is no requirement as to age, height and weight, except that applicants for appointment in the State Prison and Massachusetts Reformatory shall be not less than five feet seven inches in height and weigh not less than one hundred and thirty-five pounds. Amendment. Went into effect Oct. 1, 1894.

- b. In class 2 applicants for appointment to the fire force of Boston must be not less than twenty-two nor over thirty years of age at the time of making application, and must be not less than five feet five inches in height and weigh not less than one hundred and thirty-five pounds; *provided, however*, that applicants for appointment in the call force of the fire department of Boston, who are serving as call substitutes in said department, may, for the purpose of making themselves eligible under the rules for examination, deduct from their actual age any time not exceeding five years during which they have served in such capacity; and *provided, further*, that applications for appointment as permanent substitutes may be made by persons serving in the call force who are under forty years of age.
- c. In class 3 applicants for appointment to the police force of any city other than Boston must be not less than twenty-two nor over forty years of age, and applicants for appointment to the district police force must be not less than "twenty-two nor over fifty-five years of age at the time of filing the application;" *provided, however*, that this limitation as to age shall not apply to persons who served in the army or navy of the United States in time of war, and have been honorably discharged therefrom. In all cases in this class, except the inspection force of the district police, applicants must be not less than five feet seven inches in height and weigh not less than one hundred and thirty-five pounds.
- d. In class 4 applicants for appointment to the police force of Boston must be not less than twenty-five nor over thirty-three years of age at the time of filing the application, and must be not less than five feet eight inches in height and weigh not less than one hundred and forty pounds.
- e. In all other classes in Schedule B there is no requirement as to age, height or weight, except class 9 and class 10.

Amendment.
Went into effect
Oct. 1, 1894.

Amendment.
See page 125.

Amendment.
Went into effect
Feb. 1, 1888.

Amendment.
Went into effect
Oct. 1, 1894.

Amendment.
Went into effect
March 16, 1891.

As amended
Dec. 14, 1892,
and Aug. 16,
1893.

- f.* Applicants for appointment in class 9 of Schedule B shall be not less than twenty-two nor over thirty-five years of age at the time of making application, and shall be not less than five feet four inches in height and weigh not less than one hundred and twenty pounds; *provided, however,* that call men serving in the fire department may deduct from their actual age any time not exceeding five years during which they have continuously served in such capacity. Amendment.
Went into effect
March 1, 1893.
- g.* Applicants for appointment in class 10 of Schedule B shall be not less than thirty nor over forty-five years of age at the time of making application. Amendment.
Went into effect
Nov. 1, 1893.
- h.* In all cases under this rule applicants shall be measured in bare feet and shall be weighed without clothing Amendment.
Went into effect
Oct. 1, 1894.

APPLICATION.

RULE XI.

1. Application for admission to examinations in the first division may be made at any time, and shall be on blanks in a form prescribed by the commissioners. Applications for appointment to positions in the service of the Commonwealth, and of the city of Boston, may be filed in the office of the commissioners in Boston; applications for appointment to positions in the service of cities other than Boston may be filed with the local board of examiners in the city where service is sought, or at such other place as the commissioners may hereafter designate. Applications,
how made.

2. Each applicant for examination must state, on oath, and in his or her own handwriting: 1. Full name, residence and post-office address. 2. Citizenship. 3. Age. 4. Place of birth. 5. Health, and physical capacity for the public service. 6. Right of preference by reason of military or naval service. 7. Previous employment in the public service. 8. Business or employment, and residence, for the previous five years. 9. Education. 10. Such other information shall be furnished as may reasonably be required touching the applicant's fitness for the public service. Form of
applications.

RULE XII.

1. The word "veteran" in these rules shall mean a person who served in the army or navy of the United States in the Definition of
word "veteran."
Amendment.
See page 125.

time of the war of the rebellion, and was honorably discharged therefrom; and also a citizen of Massachusetts who has distinguished himself by gallant and heroic conduct while serving in the army or navy of the United States, and who has received a medal of honor from the President of the United States.

Veterans to
file application.
Amendment.
See page 125.

2. Any veteran desiring appointment to office or employment in the service classified under the Civil Service Rules, without having passed any examination provided for therein, shall file an application for such appointment, stating on oath: (1) his full name, residence, and post-office address; (2) the office he seeks; (3) that he desires appointment without having passed any examination provided for by the Civil Service Act or the rules thereunder; (4) his service in the army or navy of the United States in the time of the war of the rebellion, and discharge therefrom; (5) that he has not suffered loss of limb, or other physical impairment, which incapacitates; (6) his citizenship; (7) that he does not habitually use intoxicating beverages to excess, and is not a vender of intoxicating liquor; (8) that he has not within one year been convicted of any offence against the laws of this Commonwealth.

Application to
be supported
by certificates.

Such application must be supported by certificates that the applicant has all the qualifications required by law of veterans. Such application, if for an office or employment in the service of the Commonwealth or of the city of Boston, shall be filed in the office of the commissioners in Boston; if for an office or employment in the service of any city other than Boston, it shall be filed with the local board of examiners in such city.

RULE XIII.

Applications
must be sup-
ported by cer-
tificates.

Recommendations not received from certain legislators.
§ 5, c. 320, 1884.

Every application must be supported by certificates of good moral character, health, and physical and mental capacity for doing the public work, the certificates to be in such form and number as the commissioners shall prescribe. But no recommendation which may be given by any Senator, member of the House of Representatives, alderman or councilman, except as to the character or residence of the applicant, can be received or considered by any person concerned in making any appointment under these rules.

RULE XIV.

Application for
more than one
class.

No application from the same person will be received for appointment or employment in more than one of the schedules

or classes of the Civil Service as herein designated; but this shall not apply to persons who served in the army or navy of the United States in the time of the war of the rebellion, and were honorably discharged therefrom.

RULE XV.

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, or any complicity by him in any fraud, shall be regarded as good cause for excluding him from the eligible list, or for his removal or discharge during probation or thereafter.

Effect of false statements.

RULE XVI.

Defective applications will be returned to applicants with a notice to amend the same. Whenever the application shows that the applicant is not qualified under the rules and regulations, the application will be rejected, and the applicant notified of the reason therefor.

Defective applications returned.

RULE XVII.

The date of the reception of each application shall be endorsed thereon, and the application recorded; and if the applicants for admission to any class are in excess of the number that can be examined at a single examination, they will be notified to appear in the order in which their names are entered; *provided*, that persons who have served in the army or navy of the United States in time of war, and been honorably discharged therefrom, shall have precedence in such notification.

Reception of applications and notice to applicants.

RULE XVIII.

In class 2, Schedule B (the fire department of Boston), applications shall be received only for appointment to the "call force" and the "permanent substitute force." Permanent substitutes may be appointed in the regular force without further examination or certification, *provided* they have served as permanent substitutes at least six months.

Fire department of Boston, — applications, etc.

RULE XIX.

Any person possessing the required qualifications may file a new application after the expiration of six months from his

May file new application.

educational examination, and not earlier; *provided*, that, if his name be upon the eligible list, it shall be withdrawn therefrom upon the filing of his application.

EXAMINATION.

RULE XX.

Examinations,
character, notice
of.

1. All examinations shall be absolutely impartial, practical in their character, and with paramount regard to matters which will fairly test the relative capacity and fitness of the persons examined for the service which they seek to enter.

Political or re-
ligious opinions
not to influence
appointments.
§ 16, c. 320, 1884.

2. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment or selection to an office, or for employment within the scope of these rules, shall be in any manner affected or influenced by such opinions or affiliations.

Time and place
of examination.

3. The examinations shall be held at such times and places as the commissioners may designate, and proper notice thereof given. So far as practicable, the examination of applicants for appointment in the service of a city shall be held therein.

RULE XXI.

Subjects of
examination
designated.

1. The subjects of examination may be designated from time to time by the commissioners, and shall be such as the needs of the service require, and such as tend to prove the qualifications of the applicant for the office sought.

How graded.

2. Proficiency in any subject shall be credited in grading the standing of the person examined, in proportion to the value of a knowledge of such subject in the branch or part of the service which the applicant seeks to enter.

Must obtain
sixty-five per
cent.

3. No one shall be entitled to be certified for appointment whose standing upon a just grading in the examination shall be less than sixty-five per centum of complete proficiency in such of the subjects of the examination as may be designated by the commissioners.

Examinations
where special
skill and experi-
ence are re-
quired.

4. The commissioners may also order examinations upon other subjects of a technical or special character, to test the capacity which may be needed in any part of the classified service which requires peculiar information or skill. Examinations hereunder may be competitive or non-competitive. The application for, and notice of, the special examinations,

the records thereof, and the certification of those found competent, shall be such as the commissioners may prescribe.

RULE XXII.

1. Where physical qualifications are necessary, the commissioners will provide for examinations to determine them. Physical examinations.
2. The examinations to test the physical soundness of applicants for positions in the classified service shall be made by the medical examiners, if for the Commonwealth service, and by the city physicians, or their assistants, if for city service, unless the commissioners shall appoint a physician to conduct such examinations. The results of such examinations shall be certified on blanks furnished by the commissioners. By whom made.
Amendment.
Went into effect
Oct. 1, 1894.
3. Each applicant in any of said classes may be required to undergo such further physical examination as the commissioners may prescribe, adapted to ascertain his special fitness for the service for which he has applied. Any such examination shall be made by a suitable examiner, to be appointed by the commissioners, and the result shall be recorded upon blanks provided for the purpose. Additional physical examination.

RULE XXIII.

No person, while remaining eligible on any register, shall be admitted to a new examination, except in special cases where the office to be filled requires special qualifications. Eligibles not admitted to examination.

ELIGIBLE LIST.

RULE XXIV.

1. Those examined shall be marked and graded according to their excellence, as shown by their examination, and shall have their grade entered upon a register. Separate registers may be kept of those seeking to enter any part of the service in which special qualifications are required. When examined, applicants shall be graded.
2. Every veteran applying for appointment without examination, who shall have furnished satisfactory evidence that he possesses the qualifications claimed in his application, shall have his name entered upon an eligible list without examination. Veterans eligible without examination.
Amendment.
See page 125.
3. No person shall remain eligible more than one year upon any register, unless he shall so request; in which case, under such regulations as the commissioners may make, his name Eligible one year.

may, without further examination, be continued upon the eligible list for a second year.

RULE XXV.

Persons examined may have a certificate.

The commissioners may give to any person examined a certificate of his or her marking.

REQUISITION AND CERTIFICATION.

RULE XXVI.

Requisition.

Whenever there is a vacancy to be filled in the classified service, the appointing officer or power shall make requisition upon the commissioners for the names of eligible persons.

RULE XXVII.

Certification of eligible persons. Amendment. See page 125.

1. Whenever any officer or board having the power of appointment to any office or employment under these rules shall make requisition, not expressly calling for women, the commissioners shall certify the names of all veterans who have passed the examination for the position sought, in the order of the respective standing of such veterans upon the list; and in case there is no such veteran upon the list, then the commissioners shall certify the names of the three most eligible persons not veterans upon the list. In case such officer or board shall in the requisition request the certification of women, then the commissioners shall certify the names of the three women standing highest upon the eligible list.

2. The appointment or employment shall be made from the list of names so certified, subject to the provisions of the following section:—

3. Whenever any officer or board having the power of appointment to any office or employment shall in his requisition so request, the names of any or all veterans registered under Rule XII. shall be certified, and any of the veterans so certified may be appointed or employed in the office or position sought.

RULE XXVIII.

Certification of specialists.

Whenever the commissioners are notified that proficiency in any special subject is needed in the position to be filled, they may certify the names of three persons on the eligible list having the highest standing (not being below the minimum of sixty-five) in such special subject.

RULE XXIX.

1. No person on any register shall be certified more than three times for the same office, except upon the request in writing of the appointing officer; *provided, however*, if the office requires special or expert qualifications, persons may, in the discretion of the commissioners, be certified more than three times.

No person to be certified more than three times, except, etc.

2. Clause 1 of this rule shall not apply to veteran soldiers or sailors; and it shall not apply to persons other than such veterans, when certified for appointment with a veteran of equal or higher standing, or with one who receives the appointment, though not within the number of those entitled by reason of examination to be certified.

RULE XXX.

[*When an appointing officer in his requisition shall so request, the name of any veteran soldier or sailor standing upon the list shall be certified to him for appointment. When an appointing officer in his requisition shall request that the certification be restricted to veteran soldiers or sailors, the names of all veterans upon the list shall be certified. In such case the certification shall specify those who have passed the examination and the marking of each. When an appointing officer shall so request, those entitled by reason of examination to certification, and any veteran named, or all veterans upon the list, shall be certified to him.*]

Requisition for veterans.
Repealed.
See page 126.

RULE XXXI.

In case the requisition for certification, or any law or regulation, shall call for persons of one sex, those of that sex shall be certified; otherwise, sex shall be disregarded in certification.

Sex.

RULE XXXII.

If it is shown that any person certified is unsuitable for the position to be filled, the commissioners may certify an additional name; but in every such case the reason for so doing shall be stated in such certification.

Certification of additional names.

APPOINTMENT.

RULE XXXIII.

No person shall be appointed to any office or employment in the first division except in the manner provided by these rules.

Appointment.

RULE XXXIV.

Substitutes,
specials and su-
pernumeraries.

No person serving temporarily, or as a substitute, special or supernumerary official, under whatever designation, in any position in the classified service, except the reserve police and permanent substitute forces of the city of Boston, shall be appointed to any permanent position without requisition and due certification for such position.

RULE XXXV.

Repealed.
See page 126.

1. [*From the names certified the appointing power shall make a selection to fill the vacant place, subject, however, to the provisions of the following clause, giving preference in appointments to certain persons.*]

Repealed.
See page 126.

2. [*In all cases of certification for appointment of examined persons under the Civil Service rules in accordance with the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, persons certified who have served in the army or navy of the United States in time of war, and been honorably discharged therefrom, shall be appointed in preference to other persons certified who have not a higher standing on the eligible list; and persons thus preferred shall not be disqualified from holding a position in the Civil Service on account of any physical disability, provided such disability does not render them incompetent to perform the duties.*]

Appointing
officer to be
furnished with
examination
papers, etc.

3. In the selection from the persons whose names are certified by the commissioners, the appointing officer, upon written requisition therefor, will be furnished with the applications, the certificates and examination papers of the persons certified; and, in the exercise of his responsible power of selection, he may summon personally before him the certified persons for such verbal inquiries as he may deem proper. All papers furnished upon requisition as above must be returned to the commissioners with the notice of selection.

RULE XXXVI.

Provisional
appointment.
Amendment.
Went into effect
Oct. 1, 1894.

In cases where there is no suitable eligible list and the commissioners are unable to comply with the requisition, they may, in their discretion, allow a provisional appointment, which may continue until a list of eligibles is obtained by examination, or they may authorize the appointing power to select a suitable

person, who shall be subjected to a non-competitive examination, and, if found qualified, shall be certified for appointment; *provided, however*, that, whenever practicable, a competitive examination of applicants for the office shall be held.

RULE XXXVII.

Every original appointment or employment in the permanent service in the first division shall be for the probationary period of six months; at the end of which time, if the conduct and capacity of the person appointed have been found satisfactory to the appointing power, the probationer shall be absolutely appointed or employed, but otherwise be deemed out of the service.

Original appointments shall be for a probationary period.

RULE XXXVIII.

1. Where the compensation of any person in class 8 of Schedule B (engineers and janitors of school buildings) does not exceed three hundred dollars a year, the commissioners may, in their discretion, allow appointment to the position without examination, and no person so appointed shall receive more than said compensation, unless duly certified for appointment after examination; *provided, however*, that when a person appointed under this rule shall have served two years in the position, he may be transferred or promoted upon passing a non-competitive examination.

Appointment in Schedule B, class 8. Amendment. Went into effect Oct. 1, 1894.

2. When the compensation of any person in class 5 of Schedule A (messengers in cities) does not exceed four hundred dollars per year, the commissioners may, in their discretion, allow appointment to the position without examination; *provided, however*, that no person so appointed, or who may be employed as a messenger, when this rule shall take effect, shall be transferred or promoted to any position in the classified service, except that a messenger so appointed or employed without examination may, after two years of continuous service as such, be promoted or transferred upon passing a non-competitive examination.

Amendment. See page 126.

RULE XXXIX.

Every person having the power of appointment to, or employment in, any position in the first division, shall, within ten days, give notice in writing to the commissioners of the name and place of residence of any person appointed or employed in such

Commissioners to be notified of person selected, etc.

position, of the rejection of any such person during or after probation, and of the transfer, promotion, resignation or removal, discharge or death, of any person serving under him, with the dates thereof.

REAPPOINTMENT.

RULE XL.

Reappointment,
no examination
for.
Amendment.
See page 126.

1. No examination shall be required upon a reappointment of any person to the same office immediately upon the expiration of his term of office.

Reinstatement
of persons dis-
missed.
Amendment.
See page 126.

2. Any person appointed to, or employed in, any position in the first division of the classified service, who shall be found or certified to the commissioners by the proper authorities to have been dismissed or separated therefrom without fault or delinquency on his part, may be reinstated without further examination, in the same part or grade of such service at the same office, within six months next following such dismissal or separation.

TEMPORARY SERVICE.

RULE XLI.

No person shall
be appointed for
temporary ser-
vice, unless
regularly certi-
fied, except, etc.
Amendment.
Went into effect
Oct. 1, 1894.

1. Appointments in the first division for temporary service shall be made in accordance with the civil service rules, except in case of emergency, where the public business would suffer from delay in filling the position as herein provided. In no case shall such appointment or employment for an emergency continue for more than ten days, and no reappointment or employment of the same person, or of another to the same position at the end of such period, shall be allowed. And in every such case the officer making the appointment, or furnishing the employment, shall report the same to the commissioners within five days, with the reason therefor and the time for which the temporary appointment or employment is necessary.

Provisional ap-
pointments in
certain cases.

2. If for any sufficient reason it shall be impracticable to certify the names of persons who have passed a competitive examination in due season for any appointment or employment in any position in the first division, the commissioners may provide for a provisional appointment by non-competitive examination or otherwise.

TRANSFER.

RULE XLII.

Transfer within the classified service without examination may be made from a position in one department, office or institution, to a similar position in another department, office or institution, upon the consent in writing of the heads of the respective departments, offices or institutions; *provided, however*, that no person shall be transferred from class 3 of Schedule A, clerical offices requiring special qualifications, who has never passed a competitive examination under the rules, which entitles him to be placed on an eligible list for the position to which he desires transfer.

Transfer without examination.

Police officers may be transferred from one place to another, under section 11, chapter 28, of the Public Statutes, without examination or notice to the commissioners.

PROMOTION.

RULE XLIII.

1. Promotions, within the several schedules and classes of the first division of the classified service, except as hereinafter provided, shall, so far as practicable, be made by successive grades, and may be by competitive or non-competitive examination; *provided, however*, that no person shall be promoted who has not passed a suitable examination under the rules, and has not served at least one year in the lower position.

Amendment.
Went into effect
Oct. 1, 1894.

2. Promotions in class 2 of Schedule B (fire service of Boston) may be by competitive or non-competitive examination; *provided, however*, that promotions from the call to the permanent substitute force shall be made only through competition with all applicants for said force.

3. Promotions in class 3 of Schedule B (police service of cities other than Boston) shall, so far as practicable, be by successive grades; *provided, however*, that no special, supernumerary, substitute, reserve, or temporary police officer, under whatever designation (unless a permanent reserve force in any city is established by act of the Legislature), shall be promoted to the regular or permanent force, or assigned to permanent

duty, except after competition with all applicants for said force.

4. Promotions in class 4, Schedule B (police service of Boston), shall, so far as practicable, be by successive grades and through competitive or non-competitive examination.

5. Promotions in class 5, Schedule B, from assistant draw-tender to draw-tender, may be made through non-competitive examination.

6. Promotions in class 6 of Schedule B, from assistant or sub-foreman to foreman, may be made through non-competitive examination.

7. Promotions in class 8 of Schedule B (janitors, etc.), except as provided in Rule XXXVIII., may be made without examination; *provided, however*, that no person shall be promoted or transferred from a position in a furnace-heated school to a steam-heated school without having passed a suitable examination in the care and handling of steam.

SECOND DIVISION.

LABOR SERVICE.

RULE XLIV.

Schedules C and D to include day laborers and mechanics.

Amendment.
Went into effect
May 1, 1895.

Under the second division of the civil service there shall be two schedules, to be known as Schedule C and Schedule D. Schedule C shall include all male laborers and mechanics in the employ of the city of Boston, to be designated as the labor service of the city of Boston. Schedule D shall include all male laborers and mechanics in the employ of each of the other cities of the Commonwealth, or of any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, to be designated as the labor service of such city or town. The commissioners may from time to time provide for the registration and certification of such employees in any of said cities or towns; and they may, in their discretion, discontinue such registration and certification in any of said cities or towns whenever such city or town shall fail to appropriate such sum of money as, in their opinion, is necessary to provide for the full enforcement of all rules and regulations relating to the labor service of such city or town. Notice of their action in

each case shall be certified to the mayor of such city or the selectmen of such town, and shall be published in one or more newspapers therein.

RULE XLV.

1. Every applicant for labor, who produces satisfactory evidence of his capacity for labor and his habits as to industry and sobriety, shall be registered in the order of his application, at such convenient times and place or places as shall be designated by the commissioners. He shall state under oath the (1) name, (2) age, (3) residence, (4) citizenship, (5) number and relationship of persons depending for support upon the applicant, (6) service in the army or navy in time of war (7) previous occupation (8) references, (9) personal description, and such other information as may be required.

Laborers, how registered.

2. Every applicant shall file a certificate, signed by two reputable citizens, to the effect that he is qualified to perform the labor sought. Every applicant claiming preference as a veteran shall also produce satisfactory evidence of his service in the army or navy of the United States in the time of the war of the rebellion and his honorable discharge therefrom.

Applicants shall file certificates.

3. No certificate from an appointing officer in regard to the capacity of a mechanic or laborer applying for registration shall be received, unless the mechanic or laborer has worked in the department, and the appointing officer has an official knowledge of his capacity.

Certificate from appointing officer shall not be received, except, etc.

4. The commissioners may in their discretion provide and require examination regarding the physical qualifications of any applicant. No applicant shall be registered unless he appears to be qualified therefor.

Commissioners may require physical examinations.

5. When the services of laborers are required, the appointing officer or board shall notify the commissioners, stating the number of men wanted, the precise nature of the labor in which they are to be employed and the time and place of employment. The commissioners shall thereupon certify the names with the residences of veterans registered and qualified for the required labor. In case there is not a sufficient number of veterans so registered and qualified for the required labor, the commissioners shall certify twice the number of men called for, over and above the number of veterans, if any, certified, making an impartial selection, giving preference, *first*, to those

Requisition and certification.

who have had experience in the department, and, *second*, to those having families dependent upon them for support.

Requisition for
young men.
Amendment.
Went into effect
Oct. 1, 1894.

6. In case the appointing officer or board shall in the requisition certify that the labor to be performed is so arduous as to require the services of young and vigorous men, and shall designate a maximum age limit, the commissioners may recognize such age limit, if satisfied of the truth of the certificate.

Selection, how
made.

7. The selection shall be made from the list so furnished, and the names of those employed shall be returned to the commissioners forthwith. At the end of their term of service, the persons so employed may keep their places on the register, upon application to the commissioners and proof that their labor has been satisfactory.

When unable to
fill requisition.

8. In case the commissioners are unable to fill a requisition for laborers, the fact shall be certified to the officer making the requisition, who shall then make the selection under such regulations as the commissioners may from time to time prescribe.

Selection in
cases of emer-
gency.

9. In cases of emergency, where the labor of a department would suffer from delay in filling a vacancy in the labor service, as herein provided, the appointing officer may make a temporary appointment without requisition upon the commissioners; *provided, however*, that in no case shall such temporary appointment or employment continue for more than five days, and no reappointment or employment of the same person or of another to the same position at the end of such period shall be allowed. And in every such case the officer making the appointment or furnishing the employment shall report the same to the commissioners within five days, with the reason therefor.

Suspension for
six months.

10. Any mechanic or laborer suspended and not actually employed in the department in which he is enrolled shall at the end of six months be deemed to be out of the service and shall not be thereafter employed, except after registration and certification by the commissioners; and the appointing officer shall forthwith report to the commissioners the name of any mechanic or laborer so suspended; *provided, however*, that this provision shall not apply to veterans.

Not to be em-
ployed in work
other than that
for which
certified.

11. No mechanic or laborer shall be employed in labor other than that for which he is certified, until after such person shall have been continuously employed in the same labor in the same department for which he was certified for at least two months; *provided, however*, that this provision shall not apply to veterans.

12. Any mechanic or laborer who shall be found or certified Reinstatement.
to the commissioners by the appointing officer to have been dismissed from the service without fault or delinquency on his part may be reinstated in such service in the same department within three months next following such dismissal.

OFFICES NOT INCLUDED IN RULES.

RULE XLVI.

Upon the request of any officer or board having the power of appointment to any office or position in the service of the Commonwealth, or any of the cities thereof, to which these rules do not apply, the commissioners will furnish names from any list of eligible persons to fill a vacancy in such office or position; or they will, whenever practicable, hold competitive or non-competitive examinations for such office or position.

Applicants for
offices not
covered by rules
may be exam-
ined.

The foregoing rules, prepared by the Civil Service Commissioners, are hereby transmitted to the Governor and Council for their approval.

CHAS. THEO. RUSSELL, JR.,
ARTHUR LORD,
EDWARD P. WILBUR,
Civil Service Commissioners.

November 19, 1889.

In Council, November 27, 1889,

Approved: HENRY B. PEIRCE,
Secretary of the Commonwealth.

A true copy.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

Due notice was given that the foregoing Civil Service Rules would go into operation on the first day of March, A.D. 1890.

AMENDMENTS TO THE RULES.*

AMENDMENTS TO THE CIVIL SERVICE RULES, PREPARED BY THE
CIVIL SERVICE COMMISSIONERS UNDER THE AUTHORITY OF CHAPTER
320 OF THE ACTS OF 1884.

Rule VI. is hereby amended by adding to and including in
Schedule B the following class :—

“CLASS 9. All members of the regular or permanent fire force
of any city, except Boston, after the mayor and aldermen of such
city shall have requested the commissioners to include such force
in the classified service.”

Clause *e* of section 2 of Rule X. is amended by adding thereto
the words “except class 9.”

The section is hereby further amended by adding the follow-
ing :—

“*f.* Applicants for appointment in class 9 of Schedule B shall
be not less than twenty-two nor over thirty-five years of age at
the time of making application, and shall be not less than five feet
four inches in height and weigh not less than one hundred and
twenty pounds; *provided, however,* that call men serving in the
fire department may deduct from their actual age any time not
exceeding five years during which they have continuously served
in such capacity.”

Approved by the Governor and Council Dec. 14, 1892.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

* Due notice was given that these amendments to the Civil Service Rules would
go into operation on the first day of March, A.D. 1893.

AMENDMENTS TO THE RULES.*

AMENDMENTS TO THE CIVIL SERVICE RULES, PREPARED BY THE CIVIL SERVICE COMMISSIONERS PURSUANT TO THE AUTHORITY CONFERRED BY SECTION 2 OF CHAPTER 320 OF THE ACTS OF THE LEGISLATURE OF 1884, AND SECTION 1 OF CHAPTER 253 OF THE ACTS OF THE LEGISLATURE OF 1893.

Rule VI. is hereby amended by adding to and including in Schedule B the following class :—

“CLASS 10. All truant officers in the city of Boston.”

Section 2 of Rule X. is hereby amended by adding thereto the following :—

“*g.* Applicants for appointment in class 10 of Schedule B shall be not less than thirty nor over forty-five years of age at the time of making application.”

Clause *e* of section 2 of Rule X. is hereby amended by adding thereto the words “and class 10.”

Approved by the Governor and Council Aug. 16, 1893.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

* Due notice was given that these amendments to the Civil Service Rules would go into operation on the first day of November, A.D. 1893.

AMENDMENTS TO THE RULES.*

AMENDMENTS TO THE CIVIL SERVICE RULES, PREPARED BY THE CIVIL SERVICE COMMISSIONERS PURSUANT TO THE AUTHORITY CONFERRED BY SECTION 2 OF CHAPTER 320 OF THE ACTS OF THE LEGISLATURE OF 1884.

1. Section 2 of Rule VI. is hereby amended by inserting after the word "cities," in the fourth line thereof, the following: "whether paid by time for work done, or by the piece, or in any other way."

2. Section 3 of Rule VI. is hereby amended by striking out class 3 and substituting therefor the following:—

"CLASS 3. *a.* The detective force of the district police.

"*b.* The inspection force of the district police.

"*c.* The regular police force and all persons doing permanent police duty in and for and paid by any city of the Commonwealth, except the city of Boston.

"*d.* The special, substitute or supernumerary police force and all persons doing temporary police duty in and for and paid by any city of the Commonwealth, except the city of Boston."

3. Section 3 of Rule VI. is hereby further amended by striking out class 5 and substituting therefor the following:—

"CLASS 5. Engineers and assistant engineers, draw-tenders and assistant draw-tenders, employed on bridges in the cities of the Commonwealth."

4. Section 3 of Rule VI. is hereby further amended by adding to and including in Schedule B thereunder the following class:—

"CLASS 11. Engineers, janitors and persons having charge of public school buildings heated by other means than direct furnace or stove heat, in any city except Boston, after the school committee of such city shall have requested the commissioners to include such force in the classified service."

* Due notice was given that these amendments to the Civil Service Rules would go into operation on the first day of October, A.D. 1894.

5. Section 1 of Rule X. is hereby amended by adding thereto the following: "except that female applicants must be not less than eighteen years of age at the time of filing the application."

6. Clause *a* of section 2 of Rule X. is hereby amended by adding thereto the following: "except that applicants for appointment in the State Prison and Massachusetts Reformatory shall be not less than five feet seven inches in height and weigh not less than one hundred and thirty-five pounds."

7. Clause *b* of section 2 of Rule X. is hereby amended by striking out the word "six," in the fourth line, and inserting in place thereof the word "seven;" and inserting after the word "thirty," in the sixth line thereof, the word "five."

8. Clause *c* of section 2 of Rule X. is hereby amended by striking out the last clause thereof, beginning with the words "In all cases in this class," and substituting therefor the following:—

"In all cases in this class, except the inspection force of the district police, applicants must be not less than five feet seven inches in height and weigh not less than one hundred and thirty-five pounds."

9. Section 2 of Rule X. is hereby further amended by adding thereto the following: "*h*. In all cases under this rule applicants shall be measured in bare feet and shall be weighed without clothing."

10. Section 2 of Rule XXII. is hereby repealed, and the following substituted therefor:—

"2. The examinations to test the physical soundness of applicants for positions in the classified service shall be made by the medical examiners, if for the Commonwealth service, and by the city physicians, or their assistants, if for city service, unless the commissioners shall appoint a physician to conduct such examinations. The results of such examinations shall be certified on blanks furnished by the commissioners."

11. Rule XXXVI. is hereby amended by striking out the first twenty-one words and inserting in place thereof the following:—

"In cases where there is no suitable eligible list and the commissioners are unable to comply with the requisition."

12. Section 2 of Rule XXXVII. is hereby repealed.

13. Rule XXXVIII. is hereby repealed and the following substituted therefor:—

"RULE XXXVIII.

"Where the compensation of any person in class 8 of Schedule B (engineers and janitors of school buildings) does not exceed three hundred dollars a year, the commissioners may, in their dis-

cretion, allow appointment to the position without examination, and no person so appointed shall receive more than said compensation, unless duly certified for appointment after examination; *provided, however*, that when a person appointed under this rule shall have served two years in the position, he may be transferred or promoted upon passing a non-competitive examination."

14. Section 1 of Rule XLI. is hereby amended by adding the words "in the first division" after the word "appointments," in the first line thereof, and by striking out the word "thirty," in the sixth line thereof, and substituting therefor the word "ten."

15. Rule XLIII. is hereby repealed and the following substituted therefor:—

"PROMOTION.

"1. Promotions, within the several schedules and classes of the first division of the classified service, except as hereinafter provided, shall, so far as practicable, be made by successive grades, and may be by competitive or non-competitive examination; *provided, however*, that no person shall be promoted who has not passed a suitable examination under the rules, and has not served at least one year in the lower position.

"2. Promotions in class 2 of Schedule B (fire service of Boston) may be by competitive or non-competitive examination; *provided, however*, that promotions from the call to the permanent substitute force shall be made only through competition with all applicants for said force.

"3. Promotions in class 3 of Schedule B (police service of cities other than Boston) shall, so far as practicable, be by successive grades; *provided, however*, that no special, supernumerary substitute, reserve or temporary police officer, under whatever designation (unless a permanent reserve force in any city is established by act of the Legislature), shall be promoted to the regular or permanent force, or assigned to permanent duty, except after competition with all applicants for said force.

"4. Promotions in class 4, Schedule B (police service of Boston), shall, so far as practicable, be by successive grades and through competitive or non-competitive examination.

"5. Promotions in class 5, Schedule B, from assistant draw-tender to draw-tender, may be made through non-competitive examination.

"6. Promotions in class 6 of Schedule B, from assistant or sub-foreman to foreman, may be made through non-competitive examination.

“7. Promotions in class 8 of Schedule B (janitors, etc.), except as provided in Rule XXXVIII., may be made without examination; *provided, however*, that no person shall be promoted or transferred from a position in a furnace-heated school to a steam-heated school without having passed a suitable examination in the care and handling of steam.”

16. Section 6 of Rule XLV. is hereby repealed and the following substituted therefor:—

“6. In cases of emergency, where the work of a department would suffer from delay in filling a vacancy in the labor service, as herein provided, the appointing officer may make a temporary appointment, without requisition upon the commissioners; *provided, however*, that in no case shall such temporary appointment or employment continue for more than five days, and no reappointment or employment of the same person, or of another to the same position at the end of such period, shall be allowed. And in every such case the officer making the appointment, or furnishing the employment, shall report the same to the commissioners within five days, with the reason therefor.”

17. Rule V. is hereby amended by adding thereto the following:—

“2. The words ‘city’ or ‘cities’ in the Civil Service Rules shall be construed to include and be applied to any town to which they may be applicable under chapter 267 of the Acts of 1894.”

Approved by the Governor and Council July 12, 1894.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

AMENDMENTS TO THE RULES.*

AMENDMENTS TO THE CIVIL SERVICE RULES, PREPARED BY THE CIVIL SERVICE COMMISSIONERS PURSUANT TO THE AUTHORITY CONFERRED BY SECTION 2 OF CHAPTER 320 OF THE ACTS OF THE LEGISLATURE OF 1884.

1. Section 3 of Rule VI. is hereby amended by adding in class 9, after the words "any city except Boston," the words "and of any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894;" and after the words "mayor or aldermen of such city," the words "or the selectmen of such town;" so that the article as amended shall read as follows:—

"CLASS 9. All members of the regular or permanent fire force of any city except Boston, and of any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, after the mayor and aldermen of such city or the selectmen of such town shall have requested the commissioners to include such force in the classified service."

2. Section 3 of Rule VI. is further amended by adding in class 11, after the words "any city except Boston," the words "and in any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894;" and after the words "of such city," the words "or town;" so that the article as amended shall read as follows:—

"CLASS 11. Engineers, janitors and persons having charge of public school buildings heated by other means than direct furnace or stove heat, in any city except Boston, and in any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, after the school committee of such city or town shall have requested the commissioners to include such force in the classified service."

* Due notice was given that these amendments to the civil service rules would go into operation on the first day of May, A.D. 1895.

3. Rule XLIV. is hereby amended so as to read as follows:—

“RULE XLIV.

“Under the second division of the civil service there shall be two schedules, to be known as Schedule C and Schedule D. Schedule C shall include all male laborers and mechanics in the employ of the city of Boston, to be designated as the labor service of the city of Boston. Schedule D shall include all male laborers and mechanics in the employ of each of the other cities of the Commonwealth, or of any town accepting the provisions of chapter 267 of the Acts of the Legislature of 1894, to be designated as the labor service of such city or town. The commissioners may from time to time provide for the registration and certification of such employees in any of said cities or towns; and they may, in their discretion, discontinue such registration and certification in any of said cities or towns whenever such city or town shall fail to appropriate such sum of money as, in their opinion, is necessary to provide for the full enforcement of all rules and regulations relating to the labor service of such city or town. Notice of their action in each case shall be certified to the mayor of such city or the selectmen of such town, and shall be published in one or more newspapers therein.”

Approved by the Governor and Council Jan. 30, 1895.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

AMENDMENTS TO THE RULES.*

AMENDMENTS TO THE CIVIL SERVICE RULES, PREPARED BY THE CIVIL SERVICE COMMISSIONERS PURSUANT TO THE AUTHORITY CONFERRED BY SECTION 2 OF CHAPTER 320 OF THE ACTS OF THE LEGISLATURE FOR 1884.

First. Section 2 of Rule VI. is hereby repealed and the following substituted therefor:—

“2. Schedule A shall include the following classes:—

“CLASS 1. Clerks and other persons, under whatever designation, rendering services as copyists, recorders, book-keepers, agents or any clerical, recording or similar service in the Commonwealth or the several cities, whether paid by time for work done, or by the piece, or in any other way, whose annual compensation is at a rate of less than eight hundred dollars.

“CLASS 2. Persons occupying similar positions as those included in class one, whose annual compensation is at a rate of eight hundred dollars and over.

“CLASS 3. Inspectors, agents, almoners and all persons, under whatever designation, whose duties may be in part clerical.

“CLASS 4. Stenographers and typewriters.

“CLASS 5. Messengers, and all persons under whatever designation performing messenger service, either permanently or temporarily, in any city of the Commonwealth, not included in any of the above classes under this schedule; *provided, however*, one messenger of the mayor in each city is excepted herefrom.”

Second. Section 3 of Rule VI. is hereby amended by adding to and including in Schedule B thereunder the following classes:—

“CLASS 12. Superintendents, assistant superintendents, deputies and other persons, under whatever designation, performing any of the duties of a superintendent in any city of the Commonwealth or in any town of the Commonwealth accepting the provisions of chapter 267 of the Acts of 1894, excepting so far as the same are exempted by statute.

* Due notice was given that these amendments to the Civil Service Rules would go into operation on the fifteenth day of February, A.D. 1897.

“CLASS 13. Civil engineers, draughtsmen, transitmen, levellers, chainmen, rodmen and all assistants, under whatever designation, except laborers, employed in any city of the Commonwealth or in any town accepting the provisions of chapter 267 of the Acts of 1894.

“CLASS 14. The aids and other persons, under whatever designation, employed in detective service in the office of the State Fire Marshal.”

Third. Clause *b* of section 2 of Rule X. is hereby amended by striking out the word “seven” and substituting therefor the word “five.”

Fourth. Section 1 of Civil Service Rule XII. is hereby repealed, and in place thereof the following is substituted:—

“SECTION 1. The word ‘veteran’ in these rules shall mean a person who served in the army or navy of the United States in the time of the war of the rebellion and was honorably discharged therefrom; and also a citizen of Massachusetts who has distinguished himself by gallant and heroic conduct while serving in the army or navy of the United States, and has received a medal of honor from the President of the United States.”

Fifth. Section 2 of said Rule XII. is hereby amended by striking out the words “under chapter 437 of the Acts of 1887.”

Sixth. Section 2 of Rule XXIV. is hereby amended by striking out the words “Every applicant under chapter 437 of the Acts of 1887,” and substituting therefor the words “Every veteran applying for appointment without examination.”

Seventh. Rule XXVII. is hereby repealed, and the following rule is substituted therefor:—

“RULE XXVII. 1. Whenever any officer or board having the power of appointment to any office or employment under these rules shall make requisition, not expressly calling for women, the commissioners shall certify the names of all veterans who have passed the examination for the position sought in the order of the respective standing of such veterans upon the list; and in case there is no such veteran upon the list, then the commissioners shall certify the names of the three most eligible persons, not veterans, upon the list. In case such officer or board shall in the requisition request the certification of women, then the commissioners shall certify the names of the three women standing highest upon the eligible list.

“2. The appointment or employment shall be made from the list of names so certified, subject to the provisions of the following section.

“3. Whenever any officer or board having the power of appointment to any office or employment shall in his requisition so request, the names of any or all veterans registered under Rule XII. shall be certified, and any of the veterans so certified may be appointed or employed in the office or position sought.”

Eighth. Civil Service Rule XXX. is hereby repealed.

Ninth. Sections 1 and 2 of Civil Service Rule XXXV. are hereby repealed.

Tenth. Rule XXXVIII. is hereby amended by adding the following section thereto:—

“2. When the compensation of any person in class 5 of Schedule A (messengers in cities) does not exceed four hundred dollars per year, the commissioners may, in their discretion, allow appointment to the position without examination; *provided, however,* that no person so appointed, or who may be employed as a messenger when this rule shall take effect, shall be transferred or promoted to any position in the classified service, except that a messenger so appointed or employed without examination may, after two years of continuous service as such, be promoted or transferred upon passing a non-competitive examination.”

Eleventh. Section 1 of Rule XL. is hereby amended by adding thereto the words “immediately upon the expiration of his term of office.”

Twelfth. Section 2 of said rule is hereby amended by striking out the words “after due certification for the same under these rules,” and by striking out the words “one year,” and substituting therefor the words “six months.”

Thirteenth. Rule XLV. is hereby repealed, and the following rule substituted therefor:—

“RULE XLV. 1. Every applicant for labor, who produces satisfactory evidence of his capacity for labor and his habits as to industry and sobriety, shall be registered in the order of his application, at such convenient times and place or places as shall be designated by the commissioners. He shall state under oath the (1) name, (2) age, (3) residence, (4) citizenship, (5) number and relationship of persons depending for support upon the applicant, (6) service in the army or navy in time of war, (7) previous occupation, (8) references, (9) personal description, and such other information as may be required.

“2. Every applicant shall file a certificate, signed by two reputable citizens, to the effect that he is qualified to perform the labor sought. Every applicant claiming preference as a veteran shall also produce satisfactory evidence of his service in the army

or navy of the United States in the time of the war of the rebellion and his honorable discharge therefrom.

“3. No certificate from an appointing officer in regard to the capacity of a mechanic or laborer applying for registration shall be received, unless the mechanic or laborer has worked in the department and the appointing officer has an official knowledge of his capacity.

“4. The commissioners may in their discretion provide and require examination regarding the physical qualifications of any applicant. No applicant shall be registered unless he appears to be qualified therefor.

“5. When the services of laborers are required, the appointing officer or board shall notify the commissioners, stating the number of men wanted, the precise nature of the labor in which they are to be employed and the time and place of employment. The commissioners shall thereupon certify the names with the residences of veterans registered and qualified for the required labor. In case there is not a sufficient number of veterans so registered and qualified for the required labor, the commissioners shall certify twice the number of men called for, over and above the number of veterans, if any, certified, making an impartial selection, giving preference, *first*, to those who have had experience in the department, and, *second*, to those having families dependent upon them for support.

“6. In case the appointing officer or board shall in the requisition certify that the labor to be performed is so arduous as to require the services of young and vigorous men, and shall designate a maximum age limit, the commissioners may recognize such age limit, if satisfied of the truth of the certificate.

“7. The selection shall be made from the list so furnished, and the names of those employed shall be returned to the commissioners forthwith. At the end of their term of service, the persons so employed may keep their places on the register, upon application to the commissioners and proof that their labor has been satisfactory.

“8. In case the commissioners are unable to fill a requisition for laborers, the fact shall be certified to the officer making the requisition, who shall then make the selection, under such regulations as the commissioners may from time to time prescribe.

“9. In cases of emergency where the labor of a department would suffer from delay in filling a vacancy in the labor service, as herein provided, the appointing officer may make a temporary appointment without requisition upon the commissioners; *pro-*

vided, however, that in no case shall such temporary appointment or employment continue for more than five days, and no reappointment or employment of the same person or of another to the same position at the end of such period shall be allowed. And in every such case the officer making the appointment or furnishing the employment shall report the same to the commissioners within five days, with the reason therefor.

“10. Any mechanic or laborer suspended and not actually employed in the department in which he is enrolled shall at the end of six months be deemed to be out of the service and shall not be thereafter employed, except after registration and certification by the commissioners; and the appointing officer shall forthwith report to the commissioners the name of any mechanic or laborer so suspended; *provided, however*, that this provision shall not apply to veterans.

“11. No mechanic or laborer shall be employed in labor other than that for which he is certified, until after such person shall have been continuously employed in the same labor in the same department for which he was certified for at least two months; *provided, however*, that this provision shall not apply to veterans.

“12. Any mechanic or laborer who shall be found or certified to the commissioners by the appointing officer to have been dismissed from the service without fault or delinquency on his part may be reinstated in such service in the same department within three months next following such dismissal.”

Approved by the Governor and Council Dec. 3, 1896.

Attest: WARREN P. DUDLEY,
Secretary of Civil Service Commissioners.

GENERAL REGULATIONS

ADOPTED BY THE

CIVIL SERVICE COMMISSIONERS.

THE CHIEF EXAMINER.

1. The chief examiner shall, so far as practicable, attend the examinations held by the several boards of examiners.

He shall take care to secure accuracy, uniformity and justice in the proceedings of all examiners and boards of examiners under the rules and regulations; and such proceedings and all papers appertaining thereto shall at all times be open to him. He shall also, from time to time, inspect the proceedings and papers connected with examinations under the civil service rules, and shall make report of such inspection to the commissioners.

2. He shall prepare and submit to the commissioners proper schemes for examinations, and forms for blanks and records.

He shall take care that the rules and regulations are complied with, and shall bring any case of their infraction, or of injustice or irregularity, observed by him, to the attention of the commissioners. It shall be his duty, from time to time, to confer with the heads of departments, offices and institutions of the Commonwealth, and the several cities thereof, concerning the regularity, sufficiency and convenience of the examinations for the service under them. He shall perform such other appropriate duties as may be specified in these regulations, or otherwise assigned to him by the commissioners.

THE SECRETARY.

3. The secretary shall keep the records of the proceedings of the commissioners, and have charge of, and be responsible for, the safe keeping of the books, records, papers and other property in their office. He shall make such certification as the commissioners may direct of those eligible for appointment or employment. He shall generally conduct the correspondence of the commissioners, and perform such other appropriate duties as they may assign to him.

EXAMINERS.

4. Regular boards of examiners shall consist of not less than three nor more than five members, one of whom shall act as secretary; and a majority of any board may conduct an examination in the absence of the other members. The secretary of each board shall keep a complete record of its proceedings, and of all the examinations held by it, in such form as the commissioners may prescribe.

5. The board of examiners for each city shall promptly notify the commissioners of the need of holding an examination in and for such city; and thereupon the chief examiner shall, under the direction of the commissioners, issue authority therefor, and shall prepare questions and supervise the other preliminary arrangements.

6. The boards of examiners shall conduct the examinations, and estimate and mark the standing of the persons examined, or in a non-competitive examination shall mark the qualifications of the person examined.

7. Special boards will be selected, and special regulations for examinations will be issued by the commissioners when expedient.

8. No examiner or person serving under the commissioners shall attempt to influence the selection of any person for the civil service.

9. The examiners shall preserve order and decorum at examinations, and prevent any interference, by conversation or otherwise, with those under examination.

10. Each examiner will exercise diligence in securing fairness and preventing collusion and fraud in the examinations.

11. No examiner shall disclose, unless by consent of those examined, the results of the examination.

12. Any person, after receiving official notification of his standing, as ascertained by a competitive examination, may, in person or by duly authorized agent, inspect his examination papers.

13. Complaints of any injustice or unfairness on the part of any examiner or examining board, or by any one acting under the commissioners, may be made in writing to the commissioners, who will act as substantial justice in the premises may require.

14. Each examiner shall be entitled to receive from the appropriation for the expenses of administering the civil service law twenty cents for each applicant whose examination he shall attend, and twenty cents additional for each set of examination papers he

shall mark ; the total number of papers prepared by one applicant being considered a set. For the additional service rendered by the secretary of each board of examiners of cities other than Boston, in registering the eligibles, certifying the same, conducting necessary correspondence, and in other ways, he shall be entitled to receive from the same appropriation the additional sum of twenty-five cents for each eligible so registered. [3, 24, '93.]

15. No person shall act as examiner in any examination of applicants for admission to the classified civil service, when he is an applicant or an eligible for a position in the class for which the examination is being held. [12, 21, '94.]

COMPETITIVE EXAMINATIONS.

16. Applicants must present themselves punctually at the times and places specified in their official notices to attend, and they will be admitted to examination upon the production of such notices.

17. Each applicant in a competitive examination shall first be presented with a declaration paper, on which he will write his name, age, residence, examination number, etc., after which he will place it in an envelope, seal the envelope, and thereafter he shall mark each paper with his examination number only. The envelope shall not be opened until after all his examination papers are marked.

18. The sheets of questions will be numbered, and will be given out in the order of their numbers, each after the first being given only when the competitor has returned to the examiners the last sheet given to him. In general, no examination shall extend beyond five hours. Each applicant must complete his examination on the obligatory subjects before taking up any of the optional subjects.

19. The subjects of, and the time allowed for, the examination, will be announced before the first paper is given out.

20. Applicants for appointment in classes 2 and 4, Schedule B (the fire and police departments of the city of Boston), shall be examined by the city physician to test their physical soundness, and no one who fails to pass such examination shall be eligible for appointment.

Each applicant who shall have passed such examination, and also the educational examination, shall be required to undergo such further physical examination as the commissioners may from time to time prescribe, adapted to ascertain his special fitness for the service for which he has applied.

Such examination shall be made by a physical examiner, to be

appointed by the commissioners, and shall be recorded upon blanks provided for the purpose, upon which each required qualification shall be entered, and shall be marked with the percentage of excellence which the several applicants shall respectively be found to possess.

The percentage of each qualification shall be multiplied by the weight prescribed for each by the commissioners; and the quotient found by the division of the aggregate of value so arrived at, of each applicant, by the aggregate of weights shall constitute the percentage of condition of such applicant.

When an applicant for police or fire service in Boston fails to obtain sixty-five per cent. in either strength tests or development, he shall not be re-examined in those subjects until after he has filed a new application and undergone another examination as a new applicant. [1, 9, '91.]

To determine the standing of applicants for appointment in Class 4, Schedule B (the police force of Boston), equal weight shall be given to the physical and educational examinations; in Class 2, Schedule B (the fire force of Boston), the comparative weight to be given to each of such examinations shall be three to two. [1, 30, '94.]

21. Applicants for fire service in Boston, who have passed the examination and are on the eligible list for appointment to the permanent substitute force, may be certified for appointment to the call force upon the percentage obtained in their educational examination: *provided, however*, that such certification, or appointment in the call force, shall not affect their standing on the eligible list for the permanent substitute force.

22. Applicants for positions as watchmen and turnkeys in the State Prison and Massachusetts Reformatory shall undergo such physical examination by one of the medical examiners of the Commonwealth as may be from time to time prescribed by the commissioners.

NON-COMPETITIVE EXAMINATIONS.

23. In cases where a non-competitive examination may be needed, either to test the capacity of applicants for any part of the service which requires peculiar information or skill, or to fill a position for which there are no suitable candidates on the eligible list, or for promotion, or temporary appointment, or otherwise, the commissioners will provide for such examination.

24. Applicants for non-competitive examinations shall fill out and make oath to the proper application paper (without certificates); but any person named by the appointing power for non-

competitive examination may file such paper at any time before undergoing the examination.

25. The non-competitive examination shall conform, as nearly as practicable, in subject, questions and marking, to the competitive examination of the same grade.

26. Non-competitive examinations shall, in the absence of any special regulations to the contrary, be conducted by the chief examiner, and the papers marked by him with the assistance of such person as he may select.

SPECIAL EXAMINATIONS.

27. Applications for any special examination must be made in the form prescribed by the commissioners, and must be accompanied by certificates, as required in cases of ordinary applications.

28. Whenever a special examination is to be held, proper notice shall be given by advertisement or otherwise.

29. Each special examination shall embrace the subjects approved by the commissioners, after consultation with the head of the office concerned, or the special examining board for such office; and shall, so far as appropriate, be conducted under the general regulations, as to the marking of examination papers and the grading of persons examined.

30. A special record of applicants, and a special register of eligible persons, shall be kept for each part of the service, or office requiring special examinations; and when the commissioners or the proper examining board shall be notified by the appointing officer of a vacancy in such part of the service, certification shall be made to him of the names of the three persons graded highest on the special list of persons eligible for the same.

31. In case competent special applicants do not apply, after suitable notice, the appointing officer may be authorized to select a person for non-competitive examination.

MARKING.

32. Each examination paper shall be reviewed by a majority of the examiners conducting the examination; and, in any case of disagreement, the average of the markings made on any question or paper by all shall be the final marking on such question or paper.

33. The papers in each subject shall, whenever practicable, be examined, compared and marked before the papers in another subject are examined.

34. The marking of each question or subject shall be made on a scale of 100, which shall represent entire accuracy; and 0 shall represent entire ignorance. Handwriting will be judged by its legibility, uniform and correct formation of letters and ease of execution. Upon a comparison of the handwriting of all, the best and worst should be first determined, and the two extremes of the scale thus fixed; the others should be marked relatively to them. In writing from dictation or copying from manuscript, the omission, repetition or substitution of words, the erasures, blots and other evidences of carelessness, will reduce the marking below 100. Abstracts or summaries of documents, and letter-writing, will be marked as in handwriting, by determining the best and worst examples; and the examiners, having marked these, will then mark the others proportionately.

35. In each of the other subjects, each question shall be marked on a scale of 100; and the sum of such markings, divided by the number of questions in that subject, shall determine the standing on such subject.

36. In marking the examination papers of applicants for police, prison and fire service, orthography shall not be marked as a subject to which a special weight is attached; but errors in orthography shall be taken into account in marking the exercises in copying, letter-writing and reporting.

37. The following examples show the method by which the standing of each competitor is obtained. The weights here given to the different subjects are not to be regarded as the standard weights; these, and also the subjects, will be varied to meet the requirements of the position to be filled.

EXAMINATION OF _____

(For a position in Class 1, Schedule A.)

SUBJECTS.	Standing on Subjects.	Weight given to Subjects.	Product of Weight and Standing.
Penmanship,	80	4	320
Dictation,	75	2	150
Copying rough draft,	70	3	210
Orthography,	85	1	85
Arithmetic,	82	3	246
Composition,	70	2	140
	—	15	1,151
General average standing,	—	—	76.73

EXAMINATION OF _____

(For a position in Class 2, Schedule A.)

SUBJECTS.	Standing on Subjects.	Weight given to Subjects.	Product of Weight and Standing.
Penmanship,	85	4	340
Dictation,	90	2	180
Copying rough draft,	96	3	288
Orthography,	100	1	100
Arithmetic,	80	3	240
Interest and discount,	75	2	150
	—	15	1,298
General average standing,	—	—	86.53

EXAMINATION OF _____

(For a position in Schedule B.)

SUBJECTS.	Standing on Subjects.	Weight given to Subjects.	Product of Weight and Standing.
Penmanship,	70	2	140
Copying,	80	2	160
Clearness and correctness of statement,	75	3	225
Experience,	80	3	240
Arithmetic,	70	2	140
Local data; duties,	70	3	210
	—	15	1,115
Educational qualifications,	—	—	74.33
Physical qualifications,	—	—	85.
	—	2	159.33
General average standing,	—	—	79.66

It will be observed that the standing on each subject is multiplied by the weight given that subject, and the product placed in the third column; the sum of these products, divided by the sum of the weights, gives the general average standing.

ELIGIBLE LIST.

38. The names of those found eligible shall be enrolled upon a register in form prescribed by the commissioners.

39. Priority of date in examination will give no advantage in position on the eligible list.

40. The names of persons placed on the eligible list in Class 2 of Schedule A (the higher clerical service) may also, upon request in writing, be placed on the eligible list for positions in Class 1 of Schedule A, with the same standing.

41. Persons whose names are on the eligible list for the prison service of a city may, upon request in writing, have their examination papers marked by the State Board of Examiners; and, if they are found qualified, their names may be placed on the eligible list for the prison service of the Commonwealth. Persons whose names are on the eligible list for the prison service of the Commonwealth, who have been residents of the city in which they reside for six months, may, upon request in writing, have their examination papers marked by the board of examiners for the city in which they reside; and, if they are found qualified, their names may be placed on the eligible list for the prison service of said city.

42. Persons whose names have been on an eligible list one year may, upon request in writing, and satisfactory evidence in regard to health and other qualifications, be continued upon the eligible list without further examination for a second year.

CERTIFICATION.

43. In all cases of certification, the appointing officer is entitled to three names. He can make requisition to fill each vacancy, and receive three names; or, for his own convenience, unless otherwise ordered in any particular case by the commissioners, in cases where more than one vacancy exists, he can, in one requisition, call for names to fill all the vacancies. In that case he will receive together the names he would have received in separate certifications. As no person under the rules is entitled to certification more than three times except by consent of the appointing power, this proportion shall be as follows: For one vacancy, three names shall be certified; for two vacancies, four names; for three vacancies, five names; then for each multiple of three vacancies, the same multiple of five names; for one vacancy over a multiple of three, three names additional to those prescribed for such multiple; for two vacancies over a multiple of

three, four names in addition to those prescribed for such multiple.
For example : —

For 1 vacancy certify 3 names.

2 vacancies	"	4	"
3	"	5	"
4	"	8	"
5	"	9	"
6	"	10	"
7	"	13	"
8	"	14	"
9	"	15	"
10	"	18	"

For 11 vacancies certify 19 names.

12	"	"	20	"
13	"	"	23	"
14	"	"	24	"
15	"	"	25	"
16	"	"	28	"
17	"	"	29	"
18	"	"	30	"
19	"	"	33	"
20	"	"	34	"

44. Whenever an officer, who shall have made a requisition to fill a certain number of vacancies, shall appoint to office a smaller number than that of the vacancies named by him, he shall not make the selection therefor from the whole number certified to him, but only from that number of names standing highest upon said list that would have been certified to him had the requisition stated the number of vacancies which he actually filled. In case of doubt what that number would be, he will apply to the commissioners for information before making selection.

45. No one who may be examined upon any subject of a technical or special character, in addition to the general or limited examination, shall be entitled to be certified for appointment, if his standing in such subject shall be less than sixty-five per centum of complete proficiency.

46. All the applicants for promotion in the Boston police force who pass the regular examination in penmanship, orthography, composition, arithmetic and the duties of the office, shall be certified to the Board of Police.— Those who served in the military or naval forces of the United States in time of war, and received an honorable discharge therefrom, shall be indicated; and such persons shall be preferred for appointment.

47. In case a person upon any register shall, by reason of ill-health or physical incapacity, in the judgment of the commissioners, become manifestly disqualified for the service for which he or she is registered, the commissioners may direct that such person be not certified; and the commissioners must be informed by the proper examining boards of each case of such disqualification.

48. The applicant affected by such suspension, or refusal of an examination, may make complaint in writing to the commissioners, who will take proper action thereon.

GENERAL PROVISIONS.

49. In case any applicant makes any false statement for the purpose of securing an examination or preference, or has been guilty of bad faith or fraud, and in case *prima facie* evidence shall be presented to the board of examiners that any person on a record or register is, by reason of bad character or dissolute habits, or any criminal or disgraceful act committed by him, or of his dismissal for good cause from the public service, not a fit person to be examined, marked or certified, it will be the duty of the board to report upon the matter fully and promptly to the commissioners; and the marking, grading or certification of such person shall be suspended, pending the action of the commissioners upon the subject. Upon such report to the commissioners or the production of any other evidence, the commissioners will make the proper investigation and give appropriate direction to the board of examiners.

50. The commissioners cannot advise persons as to vacancies in the service, nor furnish any information as to the duties, salaries, course of promotion, or other conditions of positions and offices, except such as may be found in printed regulations. No advice can be given as to the course of preparation that applicants should follow, nor can specimens of the examination papers be furnished.

51. Every application paper and accompanying certificates will remain on file in the office of the commissioners or boards of examiners, and under no circumstances or conditions will the originals be returned to the applicant.

SPECIAL REGULATIONS

IN RELATION TO THE

EMPLOYMENT OF LABORERS AND MECHANICS.

1. Men who seek employment as laborers or mechanics shall apply for registration at the civil service labor office, in their respective cities, at such times as may be designated by the commissioners. When the applicants for work as common laborers, or as skilled laborers or specialists, are, in the opinion of the commissioners, sufficient to meet all probable demands for a period of six months or more, registration of the class for which the supply is sufficient shall cease, except in the case of persons who have served in the army or navy of the United States in time of war, and received an honorable discharge therefrom, and who produce the requisite certificates as to character and capacity.

2. No applicant for the labor service who may have acquired, by reason of previous registration or previous service, the right to register in the second division of the classified service at the time when the eligible list is closed to general registration, shall retain such right unexercised for a longer period than two years, except by vote of the commissioners.

3. Laborers employed as boys, and receiving boys' pay, who have served as such two years, may, at the request of the head of the department in which they have served, be allowed to register at any time as laborers in the classified service.

4. Each applicant must produce a certificate, signed by two reputable citizens of his city, of his capacity for labor and his habits as to industry and sobriety: *provided, however*, that in the case of a person honorably discharged from the services of the city, a certificate by the officer under whom he served, of his capacity and good conduct, may be accepted, in the absence of evidence to the contrary, as sufficient. When the applicant desires to be registered for any other service than that of a common

laborer, he will be required to produce a certificate, from some competent person or persons, of his ability to do the special kind of work for which he alleges capacity, and for which he desires to be certified.

5. The registration clerk shall require each applicant to state, under oath, his name, residence, citizenship, age, and number of persons depending upon him for support; his services, if any, in the army or navy in time of war; his present employment and past occupation; and such other facts as the commissioners may deem necessary to show his capacity for labor and his habits as to industry and sobriety.

6. The clerk shall append to each statement a brief personal description of the applicant, and any notes that may serve to show his capacity for the service sought. Where the applicant appears to possess very superior physical qualifications, the fact will be noted. [12, 24, '96.]

7. Before entering the name of an applicant on the register, such further inquiry may be made in regard to his character and capacity as the commissioners may deem practicable or expedient.

8. When it shall appear from the evidence presented that an applicant is capable and of temperate and industrious habits, the clerk shall place his name on the register.

9. In case an applicant, who has made a sworn statement as hereinbefore provided, is found to be unfit or in any way disqualified to perform the service which he seeks, his name shall not be entered on the register, and the reason therefor shall be endorsed on the applicant's statement.

10. When the services of laborers are required in any department to which the rules apply, the head of the department, or other officer thereto duly authorized, shall make a requisition upon the commissioners for the number of laborers wanted, specifying the kind of service for which they are wanted.

11. Upon the receipt of such requisition, the clerk, under the direction of the commissioners, shall send to the officer making the requisition double the number of names called for, if the register contains so many, stating the following particulars in regard to each; namely, registration number, name, residence, age, number in family, service in army or navy in time of war, kind of labor for which he alleges capacity, and such other information as the commissioners may direct. [12, 24, '96.]

12. In filling requisitions for laborers and mechanics, preference will be given to veterans, and, other things being equal, to

those on the register who have had experience in city work, and those having families depending upon them for support. When the service calls for men possessing superior physical qualifications, the officer making the requisition will so state; and the selection will, so far as practicable, be made from those marked at the time of registration as possessing such qualifications.

13. Whenever the commissioners shall be unable to fill a requisition for laborers, and shall certify such fact to the officer making the requisition, and permit him to make the selection himself, the laborers so selected shall present themselves at the civil service labor office, in their city, for registration in the manner and under the condition prescribed for those seeking employment, as set forth in special regulations in relation to the employment of laborers: *provided*, that the commissioners may suspend this regulation in emergencies, when, in their opinion, the good of the service shall require such action.

14. Whenever an officer, who shall have made a requisition for a certain number of laborers, shall employ a smaller number, he shall not make the selection therefor from the whole list certified to him, but only from the number of names standing first upon said list double the number he shall actually employ.

15. When the head of the department or other officer has selected and employed such of the persons named on said list as he may require, he shall forthwith return to the commissioners' office a list of the persons so selected, stating the kind of work for which they have been employed. In case any of the persons certified fail to respond to the call of the head of the department or other officer, or decline the employment offered, or withdraw from the service without good cause, the registered numbers of such persons shall be returned to the commissioners with a statement of the facts; and the names of such persons shall be taken from the register, unless a satisfactory explanation of the failure or refusal to work is given.

16. When a laborer in any of the departments coming within the rules is discharged or dropped from the pay-rolls, a certificate of the fact shall be sent to the commissioners, on a form provided therefor, stating the name of the person, his registration number, the date of his employment, the kind of work on which he was employed, the date of his discharge, the cause and whether his conduct and work have been satisfactory.

17. If the person so discharged or dropped desires to have his name restored to the register, he can apply at the registration office; and, if it appears that his conduct and work have been

satisfactory, and that he is a man of good habits and able-bodied, it will be done.

18. When a person is discharged from the labor service for "loitering," "incompetence," "unsatisfactory work," or any equivalent cause, unless the charge is disproved, he shall not be eligible for registration again for a period of at least six months from the date of such discharge. At the end of that time he can apply for registration on the same basis as other citizens; and, in case he is registered, he shall not be eligible to certification to the department from which he was discharged except with the written consent of the head of that department. When a person is discharged from said service for "intoxication," and the charge is not disproved, he shall not be eligible for registration again for a period of at least a year from the date of such discharge; and his registration then will be subject to the conditions hereinbefore prescribed for men discharged for "incompetency," etc. In case a person is discharged a second time for any of the causes named, he shall not be eligible for registration again, except by special vote of the commissioners.

CIVIL SERVICE COMMISSIONERS.

CHARLES THEODORE RUSSELL, *Chairman*, CAMBRIDGE.

ARTHUR LORD, PLYMOUTH.

EDWARD P. WILBUR, BOSTON.

Chief Examiner.

HENRY SHERWIN, JAMAICA PLAIN.

Secretary.

WARREN P. DUDLEY, CAMBRIDGE.

*Office of Civil Service Commissioners, Rooms 151, 152, State House,
Boston.*

Registrar of Labor,—Labor Office, State House, Boston.

WILLIAM L. HICKS.

Registration Clerk,—Labor Office, City Hall, Cambridge.

HARRY L. LINCOLN.

Registration Clerk,—Labor Office, Library Building, New Bedford.

RUFUS H. WILLIS.

Registration Clerk,—Labor Office, City Hall, Newton.

THEODORE A. FLEU.

Registration Clerk,—Labor Office, City Hall, Everett.

GEORGE H. BURR.

EXAMINERS.

For the Commonwealth and Boston Services.

WILLIAM D. HAWLEY.
 FREDERICK G. PETTIGROVE.
 FREDERICK L. COBURN
 CHARLES E. DAVIS, JR.
 JOSEPH H. JENKINS.
 J. FRANCIS DUSTAN.
 CHARLES R. BROWN.
 ANNE M. ROBBINS.
 CARRIE B. COLE.
 JAMES W. RICKER.
 ELIZABETH C. PUTNAM.
 BENJAMIN PETTEE.
 ZILPHA D. SMITH.
 JAMES TUCKER.
 LEMUEL POPE.

XANTHUS H. GOODNOUGH.
 SAMUEL A. GREEN.
 JOHN F. TYLER.
 JOHN H. MCCOLLOM.
 RUSSELL D. ELLIOTT.
 HENRY M. NOURSE.
 JOSEPH D. FALLON.
 WILLIAM F. DAVIS.
 HENRY MANLEY.
 JOHN F. DEVER.
 GEORGE H. GRUEBY.
 J. HENRY ADAMS.
 ALEXANDER BURR.
 CHARLES G. DAVIS.

*AUGUSTUS H. BROWN, M.D., Physical Examiner.**ANDREW J. SAVAGE, Examiner in the Use and Handling of Steam.**CHARLES A. LEGG, Examiner in Electrical Engineering.**For the City of Beverly.*

LINVILLE H. WARDWELL, *Sec'y.*
 DUDLEY N. GRIFFIN.
 CHARLES F. LEE.

For the City of Brockton.

DEWITT C. PACKARD, *Secretary.*
 AUGUSTUS T. JONES.

For the Town of Brookline.

ZEPHANIAH R. FORBES, *Secretary.*
 WILLIAM H. WHITE.
 EMERY B. GIBBS.
 BENJAMIN S. BLANCHARD.

For the City of Cambridge.

CHARLES H. MORSE, *Secretary.*
 SAMUEL L. MONTAGUE.
 MICHAEL CORCORAN.
 WILLIAM T. PIPER.

For the City of Chelsea.

D. FRANK KIMBALL, *Secretary.*
 FRANK B. FAY.

For the City of Chicopee.

JAMES H. LOOMIS, *Secretary.*
 EMERSON GAYLORD.
 CORNELIUS J. DRISCOLL.

For the City of Everett.

CHARLES BRUCE, *Secretary.*
 DANIEL B. FESSENDEN.
 WOODBURY A. HAM.

For the City of Fall River.

EDWARD F. MURPHY, *Secretary.*
 WILLIAM B. LOVELL.
 CHARLES J. HOLMES.

For the City of Fitchburg.

WALTER A. DAVIS, *Secretary.*
 FRANCIS BUTTRICK.
 JOHN J. SHEEHAN.
 FREDERICK FOSDICK.

For the City of Gloucester.

CHARLES H. MORROW, *Secretary.*
 WILLIAM A. HOMANS, JR.
 FREDERICK A. PEARCE.

EXAMINERS — *Continued.**For the City of Haverhill.*

IRA A. ABBOTT, *Secretary.*
JOHN A. GALE.
LORENZO FROST.

For the City of Holyoke.

ASHTON E. HEMPHILL, *Secretary.*
WILBERT T. DEAN.
ADDISON L. GREEN.

For the City of Lawrence.

WILLIAM T. KIMBALL, *Secretary.*
CHARLES U. BELL.
JOHN J. DONOVAN.

For the City of Lowell.

CHARLES H. CONANT, *Secretary.*
JOHN J. COLTON.
JOSEPH SMITH.

For the City of Lynn.

WALTER E. SYMONDS, *Secretary.*
RUFUS KIMBALL.
GEORGE BRICKETT.

For the City of Malden.

JACOB C. PATTON, *Secretary.*
ALONZO P. MOORE.
HENRY E. TURNER, JR.
JAMES O. OTIS.

For the City of Marlborough.

GEORGE L. STEVENS, *Secretary.*
WILLIAM L. MORSE.
JOHN L. STONE.

For the City of Medford.

ERNEST B. MOORE, *Secretary.*
FREDERICK H. KIDDER.
GEORGE W. MILLS.

For the City of New Bedford.

DANIEL B. LEONARD, *Secretary.*
ALBERT B. DRAKE.

For the City of Newburyport.

OLIVER B. MERRILL, *Secretary.*
HENRY B. LITTLE.
JOHN F. YOUNG.

For the City of Newton.

JOHN C. BRIMBLECOM, *Secretary.*
LUCIUS G. PRATT.
DWIGHT CHESTER.
FREDERICK L. THAYER.

For the City of North Adams.

ARTHUR W. CHIPPENDALE, *Sec'y.*
OSCAR A. ARCHER.
GEORGE FRENCH.

For the City of Northampton.

JOHN W. MASON, *Secretary.*
EDWARD B. HINCKLEY.
MELVIN L. GRAVES.

For the City of Pittsfield.

MORRIS SCHAFF, *Secretary.*
JOSEPH TUCKER.
STEPHEN C. BURTON.

For the City of Quincy.

CHRISTOPHER A. SPEAR, *Secretary.*
HARRY L. RICE.
LUTHER S. ANDERSON.

For the City of Salem.

A. AUGUSTUS SMITH, *Secretary.*
JOSEPH P. FESSENDEN.
CLIFFORD BRIGHAM.

For the City of Somerville.

GEORGE I. VINCENT, *Secretary.*
CHARLES S. LINCOLN.
HORACE C. WHITE.

For the City of Springfield.

CHARLES H. CHURCHILL, *Sec'y.*
ALBERT T. FOLSOM.
FREDERICK H. STEBBINS.

EXAMINERS — *Concluded.**For the City of Taunton.*

GEORGE F. CHACE, *Secretary.*
ABNER COLEMAN.
MARTIN J. LINCOLN.

For the City of Waltham.

LUMAN N. HALL, *Secretary.*
CORNELIUS MCCORMICK.
CHARLES F. A. SMITH.

For the City of Woburn.

CHARLIE A. JONES, *Secretary.*
FRANCIS A. PARTRIDGE.
EDWARD J. GREGORY.

For the City of Worcester.

FRANK B. HALL, *Secretary.*
JAMES EARLY.

APPLICATION PAPER.

QUALIFICATIONS.

Applicants must be citizens of the United States who have resided in the Commonwealth for one year next preceding the date of their application, and, if they apply for appointment in the service of a city, they must have resided in such city for six months next preceding the date of their application.

In Schedule A there is no requirement as to age, height and weight, except that female applicants must be not less than eighteen years of age.

In Schedule B there are the following requirements as to age, height and weight: (a.) In class 1 (the prison service) there is no requirement as to age, height and weight, except that applicants for positions in the State Prison and Massachusetts Reformatory must be not less than five feet seven inches in height in bare feet and weigh not less than one hundred and thirty-five pounds without clothing. (b.) In class 2 applicants for appointment to the fire force of Boston must be not less than twenty-two nor over thirty years of age at the time of filing the application, and must be not less than five feet five inches in height in bare feet and weigh not less than one hundred and thirty-five pounds without clothing: *provided, however*, that applicants for appointment to the call force of the fire department of Boston, who are serving as call substitutes in said department, may, for the purpose of making themselves eligible under the rules for examination, deduct from their actual age any time not exceeding five years during which they have served in such capacity; and *provided, further*, that applications for appointment as permanent substitutes may be made by persons serving in the call force who are under forty years of age. (c.) In class 3 applicants for appointment to the police force of any city other than Boston must be not less than twenty-two nor over forty years of age, and applicants for appointment to the district police force must be not less than twenty-two nor over fifty-five years of age at the time of filing the application: *provided, however*, that this limitation as to age shall not apply to persons who served in the army or navy of the United States in time of war, and have been honorably discharged therefrom. In all cases in this class, except the inspection force of the district police, applicants must be not less than five feet seven inches in height in bare feet and weigh not less than one hundred and thirty-five pounds without clothing. (d.) In class 4 applicants for appointment to the police force of Boston must be not less than twenty-five nor over thirty-three years of age at the time of filing the application, and must be not less than five feet eight inches in height in bare feet and weigh not less than one hundred and forty pounds without clothing. (e.) In class 9 persons can apply only after the mayor and aldermen of any city, except Boston, shall have requested the commissioners to include the fire force of such city in the classified service. When so included, applicants for

appointment in class 9 of Schedule B shall be not less than twenty-two nor over thirty-five years of age at the time of filing the application, and shall be not less than five feet four inches in height in bare feet and weigh not less than one hundred and twenty pounds without clothing: *provided, however*, that call men serving in the fire department may deduct from their actual age any time not exceeding five years during which they have continuously served in such capacity. (*f.*) In class 10 applicants for appointment as truant officers in the city of Boston must be not less than thirty nor over forty-five years of age at the time of filing the application. (*g.*) In all other classes in Schedule B there is no requirement as to age, height or weight.

DIRECTIONS.

1. All the statements in this application shall be made under oath or affirmation, and in the applicant's own handwriting.

2. A false statement knowingly made in this paper, or connived at in any certificate which may accompany the same, is good cause for exclusion from the eligible list or discharge during or after probation.

3. Send application, after being filled out, if for service in the departments of the Commonwealth or the city of Boston, addressed to the Civil Service Commissioners, State House, Boston, Mass. If for local service in a department of any other city, send application to the Secretary of the Board of Examiners of the city in which the service is sought.

4. No recommendations or certificates other than those provided for at the end of this blank will be received.

5. Applicants will be notified of the time and place of examination. They must give notice of any change of post-office address, or unwillingness or inability to attend the examination.

6. A failure to fill properly the blanks, or to send satisfactory certificates, will cause the application paper to be returned for correction. Applications which show that the applicants lack the qualifications as to age, health, etc., required by the rules, will be rejected, and the applicants notified.

7. The general examination is for positions in the clerical service where the annual compensation is at the rate of eight hundred dollars and over. The limited examination is for positions in the clerical service where the annual compensation is at a rate less than eight hundred dollars.

8. Every applicant for a position in the police and fire departments, and in other departments where physical capacity is of prime importance, will be required, before being placed on the eligible list, to undergo a physical examination.

9. Any person possessing the required qualifications may file a new application after the expiration of six months from his educational examination, and not earlier: *provided*, that, if his name be upon the eligible list, it shall be withdrawn therefrom upon the filing of his new application.

APPLICATION.

(Each question must be answered or the blank will be returned.)

I hereby make application to be examined for the position of _____
in the service of _____ ; [State clearly and distinctly
the position or branch of service for which you wish to be examined, and
whether it is in the service of the State or of a city.] and I will take the
examination [See Directions, No. 7, *above*]

As part of my application I declare the answers to the following questions to be true and in my own handwriting. [Sign your name in full.]

(1) Are you married or single?

(2) Where do you reside? [Give city or town, including street, number and ward.]

(3) How long have you been a resident of said city or town?

(4) How long have you been a resident of Massachusetts?

(5) What is the date of your birth? [Give day of month and year.]

(6) Where were you born? [Give city, town or parish, State and country.]

(7) Are you a citizen of the United States? . [If you are a naturalized citizen, or if your parents were naturalized during your minority, give date, place and court of naturalization.]

(8) What is your father's full name? [Give name, whether living or dead.]

(9) What is your mother's full name? [Give name, whether living or dead.]

(10) Are you a person of good moral character?

(11) Do you habitually use intoxicating beverages to excess?

(12) Are you a vender of intoxicating liquors?

(13) Have you ever been convicted of any offence against the laws of this or any other state or nation? [If so, give the date and state fully the nature of the offence.]

(14) Are you in good health?

(15) Have you any mental or physical incapacity or infirmity, of which you are aware, which would in any way disqualify you for a full discharge of official duty in the service which you seek to enter? [If you have any defect of sight, hearing, speech, or otherwise, so state.]

(16) What is your present occupation?

(17) What is the name and address of your employer?

(18) Where have you lived, what has been your principal occupation and for whom have you worked during each of the last five calendar years? [Fill the blanks against each year.]

	RESIDENCE, CITY OR TOWN, AND STATE.		OCCUPATION.		NAME OF EMPLOYER.
189 ,		:		:	
189 ,		:		:	
189 ,		:		:	
189 ,		:		:	
189 ,		:		:	

(19) Have you ever filed an application for any position in the service of the state, or any city in the state? If so, state when and where and for what service.

(20) Have you ever been examined for the public service of the United States, or any state or city? If so, when [giving month and year], where, for what branch and grade of the service, and with what result?

(21) Have you ever been employed in the service of the United States, or any state, city or town? If so, state what service, when, where, and, if you have left it, the date and specifically the cause of leaving.

(22) Is your name on any eligible list of applicants for appointment? If so, on what list?

(23) Were you ever in the military or naval service of the United States in time of war? If so, state (1) in what regiment and company, or on what vessel you served, and the date and period of your service; and (2) whether you were honorably discharged; and (3) whether such discharge was by reason of disability resulting from wounds or sickness incurred in the line of duty.

(24) In what schools, academies or colleges were you educated?
[Give the name and length of course in each.]

(25) Have you had any experience, or do you possess any special qualifications, such as a knowledge of book-keeping, expert penmanship, stenography, type-writing, foreign languages or other subjects, which, in your opinion, would be useful in the public service?

Every applicant for a position where an age limit is established by the rules will be required to furnish a certificate of the correct date of his birth before his application will be received.

Every applicant for police or fire service in any city will be examined upon the duties of the department for which he applies, and he is entitled to receive from the Commissioners or Board of Examiners a pamphlet containing the necessary information, after filing his application.

COMMONWEALTH OF MASSACHUSETTS.

SS.

On this day of 189 , personally appeared the above-named applicant and made oath that the handwriting in the above application paper is h own, and that the statements and answers therein contained, whether in writing or in print, are true to the best of h knowledge and belief.

Before me,

Justice of the Peace.

N. B.—You must make oath or affirmation to this application before mailing it to the Commissioners or to the Board of Examiners. But before doing so, see that you have fairly answered every question, and that all proper blanks are filled, as otherwise the application will be returned to you for correction and your examination may be delayed.

The persons who sign the following vouchers are notified that they may be called upon to furnish further information concerning their knowledge of the applicant or to have the certificates published for public information.

CERTIFICATES.

Directions.

1. Not less than three nor more than five persons must certify to the character of the applicant, *and certificate No. 1 must be filled, as the other certificates refer to it.* It is desirable that one of the certificates should be signed by a physician.

2. They should be citizens of good character and standing in the community where they reside. If related to the applicant the relationship should be stated.

3. The Civil Service Act contains this language: "Sect. 5. That no recommendation of any person who shall apply for office or place under the provisions of this act, which may be given by any senator or member of the house of representatives, alderman or councilman, *except as to the character or residence of the applicant*, shall be received or considered by any person concerned in making any appointment under this act."

4. *Each blank below must be filled as accurately as practicable.*

I [being more than twenty-five years of age] have been a resident of _____ for _____ years last past. I am personally acquainted with _____ the applicant aforesaid; and I do state upon honor as follows:—

(1) That I have known said applicant well since _____ .

(2) That I have read the application of said applicant, and believe each of the statements made therein to be true.

(3) That said applicant has not, to my knowledge or belief, any physical or mental weakness or infirmity, unless that mentioned in his application, which would disqualify him for the service he seeks.

(4) That said applicant is to my knowledge of good character and capacity, and is of good repute in the community where he lives.

(5) That discreet men would have no good cause to refuse, and I would not refuse, to employ the applicant in private business by reason of his lack of any of the qualifications aforesaid.

(Signature.)

(Post-office address.)

(Occupation.)

[The official paper contains four more forms.]

VETERAN EXEMPTION.

[This application can be used and filed only by a person who served in the United States army or navy during the War of the Rebellion, and, was honorably discharged therefrom, and who desires appointment to office without examination. Each applicant must place on file with his application certificates from the proper authorities, which will furnish evidence of his service in the time of the War of the Rebellion and his honorable discharge. If the applicant was credited to the quota of a State the Adjutant General of that State will furnish a certificate. If he served in the regular army or navy the certificate must come from the Army or Navy Department at Washington.]

DIRECTIONS.

1. This form of application is prepared under the law allowing the appointment without examination of persons who served in the army or navy of the United States in the time of the War of the Rebellion, and were honorably discharged therefrom. *It can be used only by veterans entitled under the law, and desiring to have their names placed on the eligible list without having passed any examination provided for by the Civil Service Act and Rules.*

2. Every applicant, upon the filing of this application, with the required certificates hereto attached, will have his name entered on an eligible list for the office he seeks.

3. All the statements in the application are to be made under oath or affirmation.

4. A false statement knowingly made in this paper, or connived at in any certificate which may accompany the same, is good cause for exclusion from the eligible list or discharge during or after probation.

5. A failure to fill properly the blanks, or to send satisfactory certificates, will cause the application paper to be returned for correction.

6. Send application, after being filled out, if for service in the Commonwealth of Massachusetts or the city of Boston, addressed to the "Civil Service Commissioners, State House, Boston, Mass." If for local service in any other city, send application to the Secretary of the Board of Examiners of the city in which the service is sought.

APPLICATION.

I desire appointment, without passing any examination provided by the Civil Service Act or Rules, to the position of
[State clearly and distinctly the position or branch of service to which you wish to be appointed, and whether it is in the service of the State or of a city.]

I declare the following to be facts concerning myself, viz.: —

(1) My full name is

(2) My post-office address is [give town or city, including street, number and ward.]

(3) My actual bona fide [legal] residence at this time is in [the town or city of]

(4) I have been a resident of the State of Massachusetts during the period of

[N. B. — If a naturalized citizen or if your parents were naturalized during your minority, give date and court of naturalization.]

(5) I have been a resident of the [town or city of] during the past years, and am of good moral character.

(6) My present occupation is

(7) To the best of my information and belief, I was born at , on the day of , 18 , and I am therefore years of age.

(8) I am not “a person habitually using intoxicating beverages to excess” nor a “vendor of intoxicating liquors.”

(9) I have not been convicted of any offence against the laws of the Commonwealth during the past year.

(10) I believe and represent myself to be a person without mental or physical impairment, of which I am aware, which in fact incapacitates me for a full discharge of official duty in the service which I seek to enter.

(11) State your service in the army or navy of the United States in the time of the War of the Rebellion; in what regiment or regiments and company or companies, or what vessel or vessels you served. Give answers to cover all service performed,

and (2) state the date of enlistment and discharge from each term of service.

(12) State whether you were honorably discharged after each term of service, and (2) whether such discharge was by reason of disability resulting from wounds or sickness incurred in the line of duty.

(13) Were you ever in the public service? If so, state what service, when, at what place, and, if you have left it, the date and specifically the cause of leaving.

COMMONWEALTH OF MASSACHUSETTS.

ss.

On this day of 189 , personally appeared the above-named applicant and made oath that the statements and answers contained in the above application by him made, whether

in writing or in print, are true to the best of his knowledge and belief, and that he is qualified to perform the duties of the position which he seeks.

Before me,

Justice of the Peace.

N. B. — You must make oath or affirmation to this application before mailing it to the Commissioners or to the Board of Examiners. But before doing so, see that you have fairly answered every question and that all proper blanks are filled, as otherwise the application will be returned to you for correction and your registration delayed.

The persons who sign the following vouchers are notified that they may be called upon to furnish further information concerning their knowledge of the applicant or to have the certificates published for public information.

CERTIFICATES.

Directions.

1. Not less than three persons must certify to the character of the applicant, and certificate No. 1 must be filled, as the other certificates refer to it.

2. They must be citizens of good repute in the community. If related to the applicant the relationship should be stated.

3. Each blank below must be filled as accurately as practicable.

I [being a citizen of good repute in the community] have been a resident of _____ for _____ years last past. I am personally acquainted with _____ the applicant aforesaid; and I do state upon honor as follows: —

(1) That I have known said applicant well since _____

(2) That I have read the application of said applicant, and believe each of the statements made therein to be true.

(3) That said applicant has not, to my knowledge and belief, any physical or mental impairment which would in fact incapacitate him for the service he seeks.

(4) That said applicant is to my knowledge of good character and capacity, and is of good repute in the community where he lives.

(5) That I know said applicant to be fully competent to perform the duties of the position sought.

(Signature.)

(Post-office address.)

(Occupation.)

[The official paper contains two more forms.]

EXAMINATION PAPERS.

SCHEDULE A — CLASS 1.

[Limited Examination.]

Clerical Service.

First Subject:

Writing from dictation, — eighteen to twenty words a minute.
Copying rough draft of a letter containing interlineations,
abbreviations, etc.

Spelling.

Handwriting; shown in copying rough draft.

Second Subject:

1. Write in figures the following number: —

Seventy million one thousand six.

Write in words the number expressed by the following
figures: —

1,010,107 $\frac{13}{52}$

2. Add these *across*, placing the totals in the space indicated;
then add the totals.

						Totals.
21,306	8,354	17,000	19,405	41,739	10,854	
18,356	17,437	18,438	4,223	22,972	19,857	
17,694	76,495	34,965	12,674	33,865	3,643	
13,400	27,865	28,965	18,430	33,301	15,210	
17,653	16,859	23,246	18,370	22,502	18,326	

3. What is the sum of $\frac{3}{5}$, $\frac{7}{5}$ and $\frac{5}{6}$? *Give the work in full*, using the lowest common denominator. Give the answer in mixed numbers.

Divide $\frac{64}{9}$ by $\frac{4}{7}$. *Give the work in full*. Give the answer in mixed numbers.

4. Subtract $\frac{11}{16}$ from $\frac{52}{4}$, and change the result to a decimal.
Give the work in full.

To forty-three and fifteen thousandths add three and thirty-seven hundredths. *Give the work in full*.

5. Multiply 7.6953 by 3.006. *Give the work in full.*
Divide eighty-seven by three thousandths. *Give the work in full.*
6. A man owning $\frac{6}{17}$ of a ship sold $\frac{5}{12}$ of his share for \$3,050; what is the whole value of the ship at this rate? *Give the work in full.*
7. If 6 men can mow a field in 10 hours, how many men must be added to mow it in 2 hours? *Give the work in full.*
8. A and B together own \$98.64. If they buy sugar at 9 cents per pound, B can buy 98 pounds more than A. How many pounds can A buy? *Give the work in full.*
9. A man sold wheat at a gain of $33\frac{1}{2}$ per cent; the selling price was \$1 per bushel. What was the cost? *Give the work in full.*
10. A farm was bought for \$18,000, which was 25 per cent. less than the price asked for it; what was asked for it? *Give the work in full.*

Third Subject:

Writing a letter on some subject given at the examination.

[This exercise is designed chiefly to test the applicant's skill in English composition, knowledge of the use of punctuation marks and capitals, paraphrasing, etc.]

The letter should be signed with the applicant's number, not his name.

SCHEDULE A — CLASS 2.*

[General Examination.]

Clerical Service.

First Subject:

Writing from dictation, — eighteen to twenty words a minute.

Copying rough draft of a letter containing interlineations, abbreviations, etc.

Spelling.

Handwriting; shown in copying rough draft.

Second Subject:

1. Write in figures the following number: —

Four million six thousand ten and fifteen thousandths.

Write in words the number expressed by the following figures: —

2,701,011 $\frac{24}{35}$

2. Add these across, placing the totals in the space indicated; then add the totals.

* To become eligible, applicants who take the general examination must obtain sixty-five per cent. in each of the first three subjects.

						Totals.
27,638	79,542	34,695	7,560	68,437	22,360	
28,475	42,863	8,375	235,864	17,397	68,474	
23,343	29,988	26,837	23,776	6,356	49,698	
64,958	75,542	53,285	19,240	5,683	18,878	
35,456	232,674	23,540	35,896	34,963	66,560	

3. What is the total weight of 4 hogsheads of sugar, weighing respectively $936\frac{1}{2}$, $1,025\frac{9}{10}$, $864\frac{2}{5}$ and 987 pounds, deducting 10 per cent. for tare? *Give the work in full.*
What number is that which, if multiplied by $11\frac{1}{9}$, will produce $9\frac{1}{11}$? *Give the work in full.*
4. The sum of three numbers is $18\frac{3}{4}$, and two of the numbers are $7\frac{1}{5}$ and 3.001; what is the other? *Give the work in full.*
5. The steamer "Teutonic" made the run from Queenstown to Sandy Hook in 5 days, 21 hours and 55 minutes. Her daily runs were 474, 490, 482, 494, 491 and $407\frac{1}{3}$ miles. What was the average rate of speed per hour? *Give the work in full.*
6. What would be the cost of paving a hall, 150 feet long and 50 feet wide, with marble slabs 12 inches long and 9 inches wide, the price of slabs being \$25 per dozen? *Give the work in full.*
7. If 264 bricks, each $8\frac{1}{2}$ inches long and $4\frac{1}{4}$ inches wide, will pave a given area, how many bricks, each $8\frac{1}{4}$ inches long and 4 inches wide, will pave $3\frac{1}{2}$ times that area? *Give the work in full.*
8. If \$39.45 is divided among 23 boys and 37 girls so that each boy receives 15 cents more than each girl, how much does each boy and each girl receive? *Give the work in full.*
9. If the tax on a piece of property is \$186.30, the rate being \$13.80 per thousand dollars, what is the value of the property? *Give the work in full.*
10. If a commission merchant has \$1,804 to expend, which includes his commission of $2\frac{1}{2}$ per cent., what amount of goods can he purchase? *Give the work in full.*

Third Subject :

1. Find the interest on \$762 for 5 months and 24 days at the rate of 6 per cent. a year. *Give the work in full.*
2. Find the interest on \$670 from Jan. 12, 1890, to Aug. 15, 1890, at 7 per cent. per annum. *Give the work in full.*
3. At compound interest, what will \$240 amount to in 3 years and 6 months, the rate being 5 per cent. a year? *Give the work in full.*
4. If a note for \$782, dated June 22, at 6 months, is discounted at a Boston bank August 10, the rate being 6 per cent. a year, what will be the proceeds? *Give the work in full.*
5. If \$200 is the interest on \$750 for $5\frac{1}{2}$ years, what is the rate per annum? *Give the work in full.*

Fourth Subject :

Writing a letter on some subject given at the examination.

[This exercise is designed chiefly to test the applicant's skill in English composition, knowledge of the use of punctuation marks and capitals, paragraphing, etc.]

The letter should be signed with the applicant's number, not his name.

SCHEDULE A — CLASS 3.

*Stenographer and Type-writer.**First Subject :*

Copying printed matter, thus showing handwriting and accuracy in copying. Spelling: twenty words announced by the examiner.

Second Subject :

Arithmetic: addition, common and decimal fractions, percentage, proportion.

Special Subject :

Short-hand writing and type-writing. Two tests of skill and accuracy in taking short-hand notes are given, one at the rate of 75 words and one at the rate of 100 words a minute. These words are then transcribed by the use of the type-writing machine.

Type-writing printed matter, showing accuracy, speed and technique.

Tabulating, transcribing rough draft of a report, and making corrected copy of a rough unpunctuated letter.

Test of speed in type-writing from dictation.

SCHEDULE A — CLASS 3.

*Inspector : Water Department.**First Subject :*

State how long you have resided in this city and what your trade or occupation has been since you began to earn your living.

If you have learned a trade, state where and under whom you learned it, and how long you worked at it.

If you have had any practical experience in the duties of the office for which you apply, or of any similar office, state when, where, for how long and under whom you had it.

State also any experience you may have obtained in business life or in the superintendence of others, either in public or private business.

If you are familiar with any foreign language, state what language it is.

Write not less than ten lines. Do not sign your name.

[On this the applicant is marked for clearness and correctness of statement, and for experience.]

Second Subject :

1. Write in figures the following number : —

One hundred eleven thousand three hundred six.

Write in words the number expressed by the following figures : —

49,852

2. Add the following column of figures : —

27,896

35,427

12,397

75,556

29,872

12,387

3. An army of 10,000 men lost 4,809 men in battle ; how many men were left? *Give the work in full.*
4. How much will 72 barrels of flour weigh, if each barrel weighs 196 pounds? *Give the work in full.*
5. How many horses worth \$125 apiece must be given for a farm worth \$11,000? *Give the work in full.*
6. What will be the cost of 32 pounds of coffee at $28\frac{3}{4}$ cents a pound? *Give the work in full.*

Third Subject :

Copying a printed statement, thus showing handwriting and accuracy in copying.

Fourth Subject :

Questions to test the applicant's knowledge of the water service, causes of waste, etc.

Fifth Subject :

Reading a water meter.

SCHEDULE A — CLASS 3.

Inspector : Health Department.

First, second and third subjects the same as for Water Inspector.

Fourth Subject :

Questions relating to the duties of Health Inspector; contagious diseases; fumigation and purification; deodorants, disinfectants, etc.

SCHEDULE A — CLASS 3.

*Inspector of Plumbing.**First Subject :*

Make a written statement in relation to your experience as a plumber; where and of whom you learned the trade; how long you served as an apprentice; how long you served as a journeyman; and, if a master plumber, how long you have been one.

State particularly where and in what capacity you have been employed during the last five years.

Give the names of your employers during the last three years.

Write not less than ten lines. Do not sign your name.

[On this the applicant is marked for clearness and correctness of statement, and for experience.]

Second and third subjects the same as for Water Inspector.

Special Subject :

Questions relating to sanitary plumbing.

SCHEDULE B — CLASS 1.

*Prison Service.**First Subject :*

Writing down from memory the substance of matter orally communicated.

EXAMINATION PAPERS.

AGRIC 161

COLLEGE

Second Subject :

The answers to the questions on this sheet will be marked as a whole under two heads, — EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

1. State in general terms your occupation since you became of age, and any experience you may possess which will be of use, if you should receive an appointment in the prison service.
2. If you have ever served in the prison department in any capacity, or in any public office, state when, where, how long, whether you were ever discharged for cause, or requested to resign; and whether, while in office, you were ever complained of for violation of the rules of the office, or for any conduct unbecoming an officer; and, if such complaint was made, what action was taken thereon.
3. Have you ever been convicted of any offence against the laws of this or any other State or nation?
4. Have you ever been a dealer in intoxicating liquors, or a bar-tender? If so, when, where and for how long?
5. Do you ever drink distilled or fermented liquors of any kind? If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.
6. Have you served in the army or navy of the United States, either in time of peace or war; and, if so, how long did you serve, and in what capacity, and did you receive an honorable discharge therefrom?
7. If you have ever served in the volunteer militia, name the regiment and company, and state how long and in what capacity you served, and whether you have been honorably discharged, been dismissed, have resigned or been asked to resign.
8. Have you ever had the handling of men, either in public office or private employment?

Third Subject :

1. Write in figures the following numbers : —
Two thousand seven hundred forty-two.
Six hundred seventy dollars three cents.

2. Write in words the numbers expressed by the following figures : —
3,742
\$693.51
3. Add the following column of figures : — 375
2,146
1,989
2,432
867
1,233
4. From 27,321 subtract 18,465. *Give the work in full.*
5. Divide 1,554 by 42. *Give the work in full.*
6. Multiply 305 by 46. *Give the work in full.*
7. If a man works twenty-six days at two dollars and twenty-five cents per day, how much money will he earn? *Give the work in full.*

Fourth Subject :

Copying a printed statement, thus showing handwriting and accuracy in copying.

PHYSICAL EXAMINATION.

SCHEDULE B—CLASS 1.

The Applicant will fill out this portion of the blank.

- Name,
Date of birth,
Occupation,
Have you any disease now?
What diseases have you had during the last seven years?
Have you varicose veins or hernia?
Have you ever had fits?
Have you ever had any fracture or dislocation?
Have you ever received any injury to the head or spine?
Are you subject to piles?
Have you been vaccinated?
Have you ever had rheumatism?

*STATE THE EXACT weight, A; height, B; circumference of chest, C.	WEIGHT. A.	HEIGHT.		C.† At forced expiration, inches. On full inspiration, "
		B. Feet.	Inches.	
A. IS THE RESPIRING murmur clear and distinct over both lungs?	A.			
B. Is the character of the respiration full, easy, and regular?	B.			
C. Are there any indications of disease of the organs of respiration or their appendages?	C.			
A. IS THE CHARACTER of the heart's action uniform, free and steady?	A.			
B. Are its sounds and rhythm regular and normal?	B.			
C. Are there any indications of disease of this organ or of the blood vessels?	C.			
A. IS THE SIGHT GOOD?	A.			
B. Is the hearing good?	B.			
IS THE APPLICANT subject to cough, expectoration, difficulty of breathing, or palpitation?				
A. ARE THE FUNCTIONS of the brain and nervous system in a healthy state?	A.			
B. Has the brain or spinal cord ever been diseased?	B.			
IF THE APPLICANT has had any serious illness or injury, state expressly what effect, if any, is perceptible in the heart, lungs, kidneys or other abdominal organs, or the skin, eyes, ears, limbs, etc.				
HAS THE APPLICANT any predisposition, either hereditary or acquired, to any constitutional disease, as phthisis, scrofula, rheumatism?				

DOES THE APPLICANT display any evidence of having or having had syphilis?†	
HABITS, use of stimulants and tobacco.	
HAS THE APPLICANT any peculiarities in his walk or general carriage or of facial expression or marks, which would make him an object of remark?	

<p>* The examiners are called upon to pay special attention to the annexed schedule in determining the fitness of the applicant.</p> <p>† There should be a difference, at least, of two inches at forced expiration and on full inspiration. All examinations of the chest should be made on the bare body, and not through the clothing.</p> <p>‡ Syphilitic taint in the applicant must always be regarded as good cause of rejection.</p> <p>** Obesity must be regarded as a good cause for rejection.</p>	<p>† Minimum circumference of the chest tolerable in applicants.</p> <table border="1"> <thead> <tr> <th colspan="2">HEIGHT.</th> <th>CIRCUMFERENCE OF CHEST.</th> </tr> <tr> <th>Feet.</th> <th>Inches.</th> <th>Inches.</th> </tr> </thead> <tbody> <tr><td>5</td><td>8</td><td>34</td></tr> <tr><td>5</td><td>9</td><td>34½</td></tr> <tr><td>5</td><td>10</td><td>35</td></tr> <tr><td>5</td><td>11</td><td>35½</td></tr> <tr><td>6</td><td>-</td><td>36</td></tr> <tr><td>6</td><td>1</td><td>36½</td></tr> <tr><td>6</td><td>2</td><td>37</td></tr> <tr><td>6</td><td>3</td><td>37½</td></tr> <tr><td>6</td><td>4</td><td>38</td></tr> </tbody> </table>	HEIGHT.		CIRCUMFERENCE OF CHEST.	Feet.	Inches.	Inches.	5	8	34	5	9	34½	5	10	35	5	11	35½	6	-	36	6	1	36½	6	2	37	6	3	37½	6	4	38	<p>STATURE AND WEIGHT.</p> <p>— The stature shall not be below 5 ft. 8 in., in ordinary dress, nor the weight below that marked as its minimum accompanying in the subjoined table:**</p> <table border="1"> <thead> <tr> <th colspan="2">HEIGHT.</th> <th>MIN. WEIGHT.</th> </tr> <tr> <th>Feet.</th> <th>Inches.</th> <th>Pounds.</th> </tr> </thead> <tbody> <tr><td>5</td><td>8</td><td>140</td></tr> <tr><td>5</td><td>9</td><td>145</td></tr> <tr><td>5</td><td>10</td><td>150</td></tr> <tr><td>5</td><td>11</td><td>155</td></tr> <tr><td>6</td><td>-</td><td>160</td></tr> <tr><td>6</td><td>1</td><td>165</td></tr> <tr><td>6</td><td>2</td><td>170</td></tr> <tr><td>6</td><td>3</td><td>175</td></tr> <tr><td>6</td><td>4</td><td>180</td></tr> </tbody> </table>	HEIGHT.		MIN. WEIGHT.	Feet.	Inches.	Pounds.	5	8	140	5	9	145	5	10	150	5	11	155	6	-	160	6	1	165	6	2	170	6	3	175	6	4	180
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(a) In examining the sense of sight, not only shall the general condition of the organs be ascertained, but weight shall be given to quickness and accuracy in discriminating colors and distances. The hearing shall be tested also as to keenness and correctness in distinguishing degrees and kinds of sounds, and the direction from which they come.

Remarks.

I, _____, hereby declare that I have returned true answers to the inquiries of _____ touching my personal and family health, history, habits, and antecedents; and that I am the person described in the foregoing record of examination.

Certificate of Examining Surgeon.

I hereby certify that I have this day carefully and thoroughly examined, in accordance with the foregoing instructions, _____, and find that he is _____ sound in limb and body, is _____ able bodied _____ of a robust constitution, has _____ good eyesight and _____ good hearing, and in my opinion is _____ physically qualified to sustain the labors and exposures, and perform the duties of a prison officer, and that the above is a truthful record of the examination.

Medical Examiner.

SCHEDULE B — CLASS 2.

Fire Department of Boston.

For Admission to the Force as Call-man or Permanent Substitute.

First Subject :

Copying a printed statement, thus showing handwriting and accuracy in copying.

Second Subject :

The answers to the questions on this sheet will be marked as a whole under two heads,— EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

State, fully and completely, the kind or kinds of business or occupation in which you have been engaged since you began to earn your own living, the length of time at each, and any experience you may possess which will be of use if you should receive an appointment in the fire service.

If you have ever served in the fire department in any capacity, or in any public office, state when, where, how long, whether you were ever discharged for cause, or requested to resign; and whether, while in office, you were ever complained of for violation of the rules of the office, or for any conduct unbecoming an officer; and, if such complaint was made, what action was taken thereon.

Have you ever been convicted of any offence against the laws of this or any other state or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

Do you ever drink distilled or fermented liquors of any kind? If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.

Have you served in the army or navy of the United States, either in time of peace or war; and, if so, how long did you serve, and in what capacity, and did you receive an honorable discharge therefrom?

If you have ever served in the volunteer militia, name the regiment and company, and state how long and in what capacity you served, and whether you have been honorably discharged, been dismissed, have resigned, or been asked to resign.

Have you ever had the handling of men, either in public office or private employment? If so, state how many, and in what kind of work.

In your opinion, what particular qualities should a good fireman possess?

Third Subject :

1. Write in figures the following number : —

Ten thousand one hundred one.

Write in words the number expressed by the following figures : —

20,306

2. Add the following column of figures : — 27,685

36,457

12,294

3,783

19,651

48,969

3. If a ship worth \$25,000, insured for \$19,875, should be lost, how much will the owners lose? *Give the work in full.*
4. If 27 cows cost \$2,315.25, what is the cost of each cow? *Give the work in full.*
5. How much will 38 barrels of flour weigh if each barrel weighs 209 pounds? *Give the work in full.*
6. What will 36 pounds of coffee cost at $33\frac{2}{3}$ cents a pound? *Give the work in full.*

** Fourth Subject :*

Questions relating to the duties of a fireman, as prescribed by the Board of Fire Commissioners.

* Each applicant for the fire service of Boston is furnished, at the time of filing his application, with a small book containing some of the most important rules and regulations found in the fire manual. He is also informed that he must study them carefully, and be prepared to answer questions relating to them.

PHYSICAL EXAMINATION.

SCHEDULE B—CLASS 2.

I, [Write your full name.] , hereby declare that the answers to the following questions relating to my personal and family health, history, habits, and antecedents, are true to the best of my knowledge and belief, and that I am the person described in the following record of examination.

The Applicant will fill out this portion of the blank.

- What is your occupation?
- Do you use tobacco? If so, in what manner, and how much do you use in a week?
- Do you drink intoxicating liquors? If so, how frequently?
- Have you any disease now?
- What diseases have you had during the last seven years?
- Do you know of any hereditary disease in your family?
- If your parents, brothers, or sisters, or any of them, are dead, of what disease did they die?
- Have you ever had fits?
- Have you ever had any fracture or dislocation?
- Have you ever received any injury to the head or spine?
- Are you subject to piles?
- Have you been vaccinated?
- Have you ever had rheumatism?

Certificate of Examining Surgeon.

Are there any indications of disease of the organs of respiration or their appendages?	
Are there any indications of disease of the heart or of the blood vessels?	
Is the sight good?	
Is the applicant color blind?	
Is the hearing good?	
Are the functions of the brain and nervous system in a healthy state?	
Has the applicant varicose veins?	
Has the applicant hernia?	
Is the applicant flat footed or has he any other malformation or disease of the feet?	

If the applicant has had any serious illness or injury, state expressly what effect, if any, is perceptible in the heart, lungs, kidneys or other abdominal organs, or the skin, eyes, ears, limbs, etc.	
Has the applicant any predisposition, either hereditary or acquired, to any constitutional disease, as phthisis, scrofula, rheumatism?	
* Does the applicant display any evidence of having or having had syphilis?	

* Syphilitic taint or obesity must be regarded as good cause for rejection.

Remarks.

I hereby certify that I have this day carefully and thoroughly examined the above-named applicant, and find that he is sound in limb and body, is able-bodied, of robust constitution, has good eyesight and good hearing, and in my opinion is physically qualified to sustain the labors and exposures, and perform the duties of a fireman in the city of Boston, and that the above is a truthful record of the examination.

Asst. City Physician.

EXAMINATION IN DEVELOPMENT AND STRENGTH.

Applicant for Fireman of Boston.

	Measure- ment.	Per Cent.	Weight.	Product.				
					The stature shall not be below 5 feet 5 inches, in bare feet, nor the weight below 135 pounds, naked.			
					All measurements shall be made on the bare body.			
					The examiner is called upon to pay special attention to the annexed schedules in determining the fitness of the applicant.			
Age, weight,								
Height, ft. in.								
Sitting height, ft. in.								
					CIRCUMFERENCE			
					HEIGHT. OF CHEST.			
					Feet. Inches. Inches. Feet. Inches. MIN. WEIGHT. Pounds.			
Girth, waist, .	{ A. B. C.	5	5	5	32	5	5	135
			5	6	32½	5	6	135
			5	7	33	5	7	135
			5	7½	33½	5	7½	138
			5	8	34	5	8	140
Girth, chest, .	{ A. B.	2	5	9	34½	5	9	145
			5	10	35	5	10	150
			5	11	35½	5	11	155
Girth, chest full, {	C. D.	2	6	-	36	6	-	160
			6	1	36½	6	1	165
			6	2	37	6	2	170
			6	3	37½	6	3	175
Depth of chest, {	A. B. C.	3	6	4	38	6	4	180
Depth of abdomen, {	A. B. C.	5						
			4					
			1					
Girth, R. thigh, . .		1						
Girth, L. thigh, . .		1			Capacity of lungs, . . .			3
Girth, R. calf, . . .		1			Strength of lungs, . . .			2
Girth, L. calf, . . .		1			Strength of back, . . .			3
Girth, R. upper arm, .		1			Strength of legs, . . .			4
Girth, L. upper arm, .		1			Strength of upper arm, H. P. . .			5
Girth, R. forearm, . .		1			Strength of forearm, R. L. . .			3
Girth, L. forearm, . .		1			Pectorals,			1
Muscular condition,	4				Traction pull,			3
					Dumb bells,			3
					Abdominal muscles,			3
		1		Adductors,			1	
				Ladder,			5	
				Rope,			4	
				Agility,			5	
					45			
Development,					Strength,			

SCHEDULE B—CLASS 3.

*Police of Cities other than Boston.**First Subject:*

Copying a printed statement, thus showing handwriting and accuracy in copying.

Second Subject:

The answers to the questions on this sheet will be marked as a whole under two heads, — EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list or for removal or discharge during probation or thereafter.*

State, fully and completely, the kind or kinds of business or occupation in which you have been engaged since you began to earn your own living, the length of time at each, and any experience you may possess which will be of use if you should receive an appointment in the police service.

If you have ever served in the police department in any capacity, or in any public office, state when, where, how long, whether you were ever discharged for cause, or requested to resign; and whether, while in office, you were ever complained of for violation of the rules of the office, or for any conduct unbecoming an officer; and, if such complaint was made, what action was taken thereon.

Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

Do you ever drink distilled or fermented liquors of any kind? If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.

Have you served in the army or navy of the United States, either in time of peace or war; and, if so, how long did you serve, and in what capacity, and did you receive an honorable discharge therefrom?

If you have ever served in the volunteer militia, name the regiment and company, and state how long and in what capacity you served, and whether you have been honorably discharged, been dismissed, have resigned, or been asked to resign.

Have you ever had the handling of men either in public office or private employment? If so, state how many and in what kind of work.

In your opinion, what particular qualities should a good policeman possess?

Third Subject :

1. Write in figures the following number :—

Thirty thousand three hundred forty-six.

Write in words the number expressed by the following figures :—

31,756

2. Add the following column of figures :—

14,328

3,709

14,257

18,601

2,782

11,907

3. If a railway train runs at the rate of 46 miles an hour, how far will it run in 27 hours? *Give the work in full.*
4. If a man buys a piece of land for \$17,810, and sells it for \$16,987, how much does he lose by the transaction? *Give the work in full.*
5. A man paid \$4,025 for 23 horses ; how many dollars did he pay for each horse? *Give the work in full.*
6. How much will 18 pounds of beef cost, at $18\frac{1}{2}$ cents a pound? *Give the work in full.*

Fourth Subject :

- * Questions relating to the duties of a police officer, definitions of crimes, descriptions of legal papers, statutory law, etc.

* When the applicant files his application paper, he is furnished with a book of instructions, containing information relative to the duties of a police officer, definitions of crimes, legal papers, statutory law, etc. He is also informed that he must study the book carefully, and be prepared to answer questions relating to its contents.

PHYSICAL EXAMINATION.

SCHEDULE B — CLASS 3.

I, [Write your full name.] , hereby declare that the answers to the following questions relating to my personal and family health, history, habits and antecedents, are true to the best of my knowledge and belief, and that I am the person described in the following record of examination.

The Applicant will fill out this portion of the blank.

{	What is your occupation?	
{	Do you use tobacco?	If so, in what manner, and how much
{	do you use in a week?	
{	Do you drink intoxicating liquors?	If so, how frequently?
{	Have you any disease now?	
{	What diseases have you had during the last seven years?	
{	Do you know of any hereditary disease in your family?	
{	If your parents, brothers, or sisters, or any of them, are dead, of what disease did they die?	
{	Have you ever had any fracture or dislocation?	
{	Have you ever received any injury to the head or spine?	
{	Are you subject to piles?	
{	Have you been vaccinated?	
{	Have you ever had rheumatism?	

Certificate of Examining Surgeon.

* Circumference of chest after forced expiration, ; after full inspiration, .	
Are there any indications of disease of the organs of respiration or their appendages?	
Are there any indications of disease of the heart or of the blood vessels?	
Is the sight good?	
Is the applicant color blind?	
Is the hearing good?	
Has the applicant varicose veins or varicocele?	
Has the applicant hernia?	
Is the applicant flat-footed or has he any other malformation or disease of the feet?	

* There should be a difference of two inches at least at forced expiration and on full inspiration.

Has the applicant any predisposition, either hereditary or acquired, to any constitutional disease, as phthisis, scrofula, rheumatism?

* Does the applicant display any evidence of having or having had syphilis?

* Syphilitic taint or obesity must be regarded as good cause for rejection.

The stature should not be below 5 ft. 7 in., in bare feet, nor the weight below that marked as its minimum accompaniment.			Minimum circumference of the chest allowed.		REMARKS.
HEIGHT. Feet. Inches.	MIN. WEIGHT. Pounds.		HEIGHT. Feet. Inches.	CHEST. Inches.	
5	7	135	5	7	33½
5	8	140	5	8	34
5	9	145	5	9	34½
5	10	150	5	10	35
5	11	155	5	11	35½
6	—	160	6	—	36
6	1	165	6	1	36½
6	2	170	6	2	37
6	3	175	6	3	37½

I hereby certify that I have this day examined
and find that he is, by actual test, feet inches in
height, in bare feet, and weighs pounds without clothing,
and that he is of a robust constitution, and, in my opinion,
is physically qualified to perform the duties of a police-
man in the city of

, City Physician.

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SCHEDULE B — CLASS 3.

District Police. — Inspection Department.

First Subject :

The answers to the questions on this sheet will be marked under two heads, — EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

What is your trade or occupation?

Where and under whom did you learn your trade or occupation?

At what kind of work are you now employed, who is your employer, and how long have you been so employed?

If you are not at work now, state where and by whom you were employed last, the kind of work, and why you left that work.

Did your present or last employer sign a recommendation for you upon your present application? If not, why not?

Have you followed more than one trade or occupation? If so, state what trades or occupations you have followed other than the one you have already mentioned.

If there is anything else in your experience which may tend to show your fitness for the position of Inspector in the District Police Force, state the same fully.

Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

Do you ever drink distilled or fermented liquors of any kind?
If so, state fully and definitely what your habits are in
such use of them. If you are a total abstainer, state
how long you have abstained.

Second Subject :

Copying printed matter, thus showing handwriting and accuracy in copying.

Third. Subject :

1. Write in figures the following number : —
Fifteen million four thousand fifty-one.
Write in words the number expressed by the following figures : —
6,201,504
2. Add the following column of figures : —
131,042
275,634
187,965
98,325
346,424
764,326
3. Add together $2\frac{7}{15}$, $4\frac{5}{8}$, $3\frac{1}{6}$. Give the work in full, using the lowest common denominator. Give the answer in mixed numbers.
Multiply $25\frac{2}{7}$ by $3\frac{1}{3}$. Give the work in full.
4. Add together 201.23, 36.5 and .693; divide the sum by 4, and subtract 18.59896 from the product. Give the work in full.
5. How many square yards are there in a plot of ground 165 feet long and 150 feet wide? Give the work in full.
6. How many cubic feet will there be in a tank 16 feet 3 inches long, 9 feet 6 inches wide and 6 feet deep? Give the work in full.

Fourth Subject:

Questions on the following subjects: Ventilation, sanitary plumbing, guarding machinery, safety devices on elevators, modes of egress in case of fire, devices and appliances for extinguishing fire, employment of women and children.

SCHEDULE B — CLASS 3.

*Detective Force of District Police.**First Subject:*

Write a letter, addressed to the Civil Service Commissioners, stating in detail what has been your experience. If you have had any practical experience in the duties of the office for which you apply, or of any similar office, state when, where, for how long and under whom you had it. *Sign the letter with your number, not your name.*

Second Subject:

1. Write in figures the following number: —
Fifteen thousand seven hundred one.
Write in words the number expressed by the following figures: — 10,010
2. Add the following column of figures: —

26,954
17,683
10,857
18,642
25,395
32,963
3. If a man should buy a lot of land for \$20,000, and sell it for \$18,775, how much would he lose by the transaction?
Give the work in full.
4. If 35 hogs cost \$394.45, what is the cost of each hog?
Give the work in full.
5. When eggs cost 35 cents a dozen, what is the cost of 648 eggs? *Give the work in full.*
6. What will 45 pounds of sugar cost at $8\frac{1}{2}$ cents a pound?
Give the work in full.

Third Subject:

Copying printed matter, thus showing handwriting and accuracy in copying.

Fourth Subject:

Questions relating to crimes, criminal processes, legal papers and methods of procedure which officers must know about in the prosecution of criminal cases.

PHYSICAL EXAMINATION.

SCHEDULE B—CLASS 3.

Name,

Age,

Residence,

Circumference of chest after forced expiration,

* Circumference of chest after full inspiration,

Is the respiratory murmur clear and distinct?

Is there any indication of disease of the organs of respiration?

Is the action of the heart regular?

State the quality of the respiration.

State the quality of the pulse.

† Is the sight good?

† Is the hearing good?

Has the applicant hernia or varicose veins?

Has the applicant ever been vaccinated?

Has the applicant ever had a fracture or dislocation, or any serious injury to the eyes, ears or limbs?

Has the applicant piles or *fistula in ano*?

Has the applicant any tendency to constitutional disease, such as phthisis, rheumatism, etc.?

‡ Does the applicant display any evidence of having or having had syphilis?

The stature should not be below 5 ft. 7 in., in bare feet, nor the weight, without clothing, below that marked as its minimum accompaniment. §			Minimum circumference of the chest allowed.		
HEIGHT.		MIN. WEIGHT.	HEIGHT.		
Feet.	Inches.		Feet.	Inches.	
5	7	135	5	7	33½
5	8	140	5	8	34
5	9	145	5	9	34½
5	10	150	5	10	35
5	11	155	5	11	35½
6	—	160	6	—	36
6	1	165	6	1	36½
6	2	170	6	2	37
6	3	175	6	3	37½

REMARKS.

* There should be a difference of two inches, at least, at forced expiration and on full inspiration.

† In examining the sense of sight, not only shall the general conditions of the organs be ascertained, but weight shall be given to quickness and accuracy in discriminating colors and distances. The hearing shall be tested also as to keenness and correctness in distinguishing degrees and kinds of sounds and the direction from which they come.

‡ Syphilitic taint in the applicant must always be regarded as good cause for rejection.

§ Obesity must be regarded as good cause for rejection.

I hereby certify that I have this day examined and find that he is, by actual test, feet inches in height, in bare feet, in ordinary dress, and weighs pounds, without clothing, and that he is of a robust constitution, and, in my opinion, is physically qualified to perform the duties of a district police officer.

Medical Examiner.

District.

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County.

SCHEDULE B — CLASS 4.

Police Force of Boston.

First Subject :

Copying a printed statement, thus showing handwriting and accuracy in copying.

Second Subject :

The answers to the questions on this sheet will be marked as a whole under two heads, — EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering the questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

State, fully and completely, the kind or kinds of business or occupation in which you have been engaged since you began to earn your own living, the length of time at each, and any experience you may possess which will be of use if you should receive an appointment in the police service.

If you have ever served in the police department in any capacity, or in any public office, state when, where, how long, whether you were ever discharged for cause, or requested to resign; and whether, while in office, you were ever complained of for violation of the rules of the office, or for any conduct unbecoming an officer; and if such complaint was made, what action was taken thereon.

Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty and all other facts relating thereto.

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

PHYSICAL EXAMINATION.

SCHEDULE B — CLASS 4.

I, [Write your full name.] , hereby declare that the answers to the following questions relating to my personal and family health, history, habits, and antecedents, are true to the best of my knowledge and belief, and that I am the person described in the following record of examination.

The Applicant will fill out this portion of the blank.

What is your occupation?
 Do you use tobacco? If so, in what manner, and how much do you use in a week?
 Do you drink intoxicating liquors? If so, how frequently?
 Have you any disease now?
 What diseases have you had during the last seven years?
 Do you know of any hereditary disease in your family?
 If your parents, brothers, or sisters, or any of them, are dead, of what disease did they die?
 Have you ever had fits?
 Have you ever had any fracture or dislocation?
 Have you ever received any injury to the head or spine?
 Are you subject to piles?
 Have you been vaccinated?
 Have you ever had rheumatism?

Certificate of Examining Surgeon.

Are there any indications of disease of the organs of respiration or their appendages?

Are there any indications of disease of the heart or of the blood vessels?

Is the sight good?

Is the applicant color blind?

Is the hearing good?

Are the functions of the brain and nervous system in a healthy state?

Has the applicant varicose veins?

Has the applicant hernia?

Is the applicant flat footed or has he any other malformation or disease of the feet?

If the applicant has had any serious illness or injury, state expressly what effect, if any, is perceptible in the heart, lungs, kidneys or other abdominal organs, or the skin, eyes, ears, limbs, etc.	
Has the applicant any predisposition, either hereditary or acquired, to any constitutional disease, as phthisis, scrofula, rheumatism?	
* Does the applicant display any evidence of having or having had syphilis?	

* Syphilitic taint or obesity must be regarded as good cause for rejection.

Remarks.

I hereby certify that I have this day carefully and thoroughly examined the above-named applicant, and find that he is sound in limb and body, is able-bodied, of robust constitution, has good eyesight and good hearing, and in my opinion is physically qualified to sustain the labors and exposures, and perform the duties of a policeman in the city of Boston, and that the above is a truthful record of the examination.

Asst. City Physician.

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Applicant for Policeman of Boston.

	Measure- ment.	Per Cent.	Weight.	Product.
Age, weight,				
Height, ft. in.				
Sitting height, ft. in.				
Girth, waist, . { A. B. C.		5 4 3		
Girth, chest, . { A. B.		1 2		
Girth, chest full, { C. D.		1 2		
Depth of chest, { A. B. C.		1 2 3		
Depth of abdo- { A. men, { B. C.		5 4 1		
Girth, R. thigh, . .		1		
Girth, L. thigh, . .		1		
Girth, R. calf . . .		1		
Girth, L. calf, . . .		1		
Girth, R. upper arm,		1		
Girth, L. upper arm,		1		
Girth, R. forearm, .		1		
Girth, L. forearm, .		1		
Muscular condition,		4		

The stature shall not be below 5 feet 8 inches, in bare feet, nor the weight below 140 pounds, naked.			
All measurements shall be made on the bare body.			
The examiner is called upon to pay special attention to the annexed schedules in determining the fitness of the applicant.			
HEIGHT. Feet. Inches.	CIRCUMFERENCE OF CHEST. Inches.	HEIGHT. Feet. Inches	WEIGHT. Pounds.
5 8	34	5 8	140
5 9	34½	5 9	145
5 10	35	5 10	150
5 11	35½	5 11	155
6 -	36	6 -	160
6 1	36½	6 1	165
6 2	37	6 2	170
6 3	37½	6 3	175
6 4	38	6 4	180

	Strength Tests.	Per Cent.	Weight.	Product.
Capacity of lungs, . . .			3	
Strength of lungs, . . .			2	
Strength of back, . . .			3	
Strength of legs, . . .			4	
Strength of upper arm, H. P. . .			5	
Strength of forearm, R. L. . .			3	
Pectorals,			1	
Traction pull,			3	
Dumb bells,			3	
Abdominal muscles,			3	
Adductors,			1	
Agility,			4	

	35
Development,	Strength,

	Per Cent.	Weight.	Product.
Development,		1	
Strength,		2	
		3	
General physical condition,			

Remarks.

I hereby certify that I have this _____ day of _____, 189 _____, carefully and thoroughly examined the above-named applicant, and that the above is a truthful record of such examination.

Physical Examiner.

SCHEDULE B — CLASS 5.

*Draw-tender of Bridges.**First Subject :*

State your occupation during the past ten years, and the names and residences, so far as you remember, of your employers during that period.

Have you ever served as draw-tender or assistant draw-tender?

If so, when and where?

Can you pull and manage a row-boat?

Can you swim?

Can you run a stationary engine?

Can you furnish a certificate that you can do so?

[On these statements the applicant is marked for experience only.]

Second Subject :

1. Write in figures the following number : —

One thousand five hundred and sixty-three dollars and fourteen cents.

2. Write in words the number expressed by the following figures : —

14,368

3. Add the following column of figures : —

1,792

3,467

1,823

3,119

427

2,236

4. From 21,315 subtract 19,678. *Give the work in full.*

5. Divide 4,968 by 23. *Give the work in full.*

6. Multiply 726 by 54. *Give the work in full.*

Third Subject :

Questions relating to the duties which draw-tenders are called upon to perform.

SCHEDULE B — CLASS 6.

*Foreman of Laborers.**First Subject :*

State your occupation during the past ten years, and the names and residences, so far as you remember, of your employers during that period.

Have you ever been foreman or sub-foreman in charge? If so, state when, where and under whom you worked, and the kind of work in which you were employed.

Have you ever had charge of men? If so, state fully how many, where, when, for how long and in what kind of work.

Have you ever done any ledge work, or had the handling or care of explosives? If so, state when, where and for how long.

[On these statements the applicant is marked for experience only.]

Second Subject:

1. Write in figures the following number: —

One thousand five hundred sixty-three.

Write in words the number expressed by the following figures: —

12,207

2. Add the following column of figures: — 1,743

876

1,427

3,764

998

2,507

3. Suppose you have under you 36 men at \$1.75 per day; a rain-storm prevents them from working the last half day. What will be the amount of their pay for that day? *Give the work in full.*

4. If you have a pile of 10,000 bricks, and take away 7,550 of them, how many will be left? *Give the work in full.*

5. When stone is worth 88 cents a yard, how many yards can be bought for \$37.85? *Give the work in full.*

Third Subject:

Foreman in the water department.

Questions on trench work, pipe-laying, measurements and materials.

Third Subject:

Foreman in sewer department.

Questions relating to the different kinds of sewers, the preparation and use of cement and other materials, and trench work.

Third Subject :

Foreman in the department of streets, parks, cemeteries, common and squares.

Questions on street, road and sidewalk building, cart measurement, grade-stakes, etc.

Fourth Subject :

Foreman in all the departments except the street cleaning and sanitary departments.

Questions on ledge work, and the care and use of explosives.

Fifth Subject :

Foreman in the department of streets, parks, cemeteries, common and squares.

Questions on drainage.

SCHEDULE B — CLASS 6.

Sub-foreman of Laborers.

First Subject :

State your occupation during the past ten years, the names and residences, so far as you remember, of your employers during that period.

Have you ever been foreman or sub-foreman in charge? If so, state when, where, and under whom you worked, and the kind of work in which you were employed.

Have you ever had charge of men? If so, state fully how many, where, when, for how long and in what kind of work.

Have you ever done any ledge work, or had the handling or care of explosives? If so, state when, where and for how long.

[On these statements the applicant is marked for experience only.]

Second Subject :

1. Write in figures the following :—

One hundred and sixty-three dollars and twelve cents.

2. If you receive 23 loads of gravel one day, 34 loads the next, and 17 loads the next, how many loads will you then have in all? *Give the work in full.*

3. If you have \$45 and pay out \$27 for rent and other expenses, how much will you have left? *Give the work in full.*

4. If a cubic yard of stone costs 88 cents, how many yards can be bought for \$39.60? *Give the work in full.*
5. What wages, at \$1.75 per day, would be due a laborer, he having worked an entire week of six days, except one half day? *Give the work in full.*

Third Subject:

Questions relating to general work: the use of tools, reading grade-stakes, tallying, etc.

Fourth Subject: (Not obligatory.)

Questions on ledge-work: the tools used, care and use of explosives, etc.

SCHEDULE B — CLASS 7.

Building Inspectors.

First Subject:

The answers to the questions on this sheet will be marked under two heads, — EXPERIENCE, and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statements made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

What is your trade or occupation?

Where and under whom did you learn your trade or occupation?

At what kind of work are you now employed, who is your employer, and how long have you been so employed?

If you are not at work now, state where and by whom you were employed last, the kind of work, and why you left that work.

Did your present or last employer sign a recommendation for you upon your present application? If not, why not?

Have you followed more than one trade or occupation? If so, state what trades or occupations you have followed other than the one you have already mentioned.

If there is anything else in your experience which may tend to show your fitness for the position of Building Inspector, state the same fully.

Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

Do you ever drink distilled or fermented liquors of any kind?

If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.

Second Subject :

Copying printed matter, thus showing handwriting and accuracy in copying.

Third Subject :

Arithmetic.

Fourth Subject :

Questions relating to brick and stone masonry, carpentry and iron work.

Fifth Subject :

Knowledge of construction as shown by drawing plans to scale.

Sixth Subject :

Sanitary plumbing.

SCHEDULE B — CLASS 8.

Engineers, Janitors and Persons having Charge of Steam Boilers and Furnaces in the School Buildings in the City of Boston.

First Subject :

The answers to the questions on this sheet will be marked under the head EXPERIENCE. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

What is your trade or occupation?

Where and under whom did you learn your trade or occupation?

At what kind of work are you now employed, who is your employer, and how long have you been so employed?

If you are not at work now, state where and by whom you were employed last, the kind of work, and why you left that work.

Did your present or last employer sign a recommendation for you upon your present application? If not, why not?

Have you followed more than one trade or occupation? If so, state what trades or occupations you have followed other than the one you have already mentioned.

If there is anything else in your experience which may tend to show your fitness for the position you seek, state the same fully.

Have you ever had the charge or care of any building, public or private? If so, state the kind of building, where located, and how long you had the charge or care of it.

Have you had any experience in taking care of furnaces or heating apparatus? If so, state when and where, the kind of building heated, how long you were so employed, and what kind of heating apparatus was used.

Do you wish to be examined in steam engineering or steam heating?

Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?

Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.

Do you ever drink distilled or fermented liquors of any kind? If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.

Second Subject :

Arithmetic : Six questions, including addition, subtraction, multiplication, division, and the reading and writing of numbers.

Third Subject :

Copying a printed statement, thus showing handwriting and accuracy in copying.

Fourth Subject :

Questions relating to the care and handling of furnaces, gas, water supply, etc., ventilation and sanitary matters.

[Each applicant for appointment to a position as engineer is required to exhibit a license from a State Inspector of Steam Boilers.]

[Each applicant for appointment to a position as janitor of a school building where steam heat is used will be required to exhibit a license from a State Inspector of Steam Boilers.]

SCHEDULE B — CLASS 9.

The Fire Service of Cities other than Boston.

This examination is similar to that of Schedule B, Class 2,—
the Fire Service of Boston.

SCHEDULE B — CLASS 10.

Truant Officers of Boston.

First Subject :

Copying printed statement.
Spelling.

Second Subject :

The answers to the questions on this sheet will be marked as a whole under two heads, — EXPERIENCE and CLEARNESS AND CORRECTNESS OF STATEMENT. *Any false statement made by the applicant in answering these questions will be regarded as good cause for excluding him from the eligible list, or for removal or discharge during probation or thereafter.*

State how long you have resided in this city, and what your occupation has been since you began to earn your living.

If you have had any practical experience in the duties of the office for which you apply, or of any similar office, state when, where, for how long and under whom you had it.

State also any experience you have had in the superintendence of others, either in public or private business.

If you are familiar with any foreign language, state what language it is, and whether you can read, write and speak it.

Write not less than ten lines. Do not sign your name.

Have you ever been employed as a public officer? If so, state what office you held, when, where, how long you served, whether you were ever discharged for cause, or requested to resign; and whether, while in office, you were ever complained of for violation of the rules of the office, or for any conduct unbecoming an officer; and, if such complaint was made, what action was taken thereon.

When were you born? Give month, day and year.

- Have you ever served in the army or navy of the United States, either in time of peace or war? If so, how long did you serve and in what capacity, and did you receive an honorable discharge therefrom?
- Have you ever served in the volunteer militia? If so, name the regiment and company, and state how long and in what capacity you served, and whether you have been honorably discharged, been dismissed, have resigned or been asked to resign.
- Have you ever had the handling of men, either in public office or private employment? If so, state how many and in what kind of work.
- Have you ever been convicted of any offence against the laws of this or any other State or nation? If so, make a full statement of the case, giving particulars as to date, place, your age at the time, the nature of the offence, the penalty, and all other facts relating thereto.
- Have you ever been a dealer in intoxicating liquors, or a bartender? If so, when, where, and for how long?
- Do you ever drink distilled or fermented liquors of any kind? If so, state fully and definitely what your habits are in such use of them. If you are a total abstainer, state how long you have abstained.
- What particular qualities should a man possess in order that he may become an efficient truant officer?

Third Subject:

Arithmetic, including addition, subtraction, multiplication and common fractions.

Fourth Subject:

Letter writing.

SCHEDULE B — CLASS 11.

Janitors of School Buildings in Cities other than Boston.

An examination similar to that given for Schedule B, Class 8.

SPECIAL INSTRUCTIONS TO EXAMINERS.

The gentlemen designated as members of a Board of Civil Service Examiners will meet as soon as practicable, and organize the Board, choosing a chairman and secretary.

On receiving notice of such organization, the commissioners will forward to the secretary of the Board the application blanks, copies of the rules and regulations, and such other books, documents and papers as may be needful.

The commissioners will also send notices for insertion in local newspapers (as a matter of news), informing all who may be interested that application papers can be obtained of the secretary of the Board.

Each person filing an application blank should be furnished also with a copy of the rules and regulations.

When an application paper is presented by an applicant in person, the secretary should examine it at the time, if he can do so conveniently, and, if it is properly filled out, he should note upon the back, in ink, the date and hour when received. If it is not properly filled out, the attention of the applicant should be called to the fact, and he should be directed to have the application paper corrected.

If an incomplete application paper is received by mail, it should be returned to the applicant, accompanied by a notice to correct the same.

At each meeting of the Board the applications which have been received since the previous meeting should be carefully examined by the members, or a majority of them, and, if found satisfactory, should be numbered serially in the order in which they are received. They should be entered in the record of applications, in the order of their numbers.

The Board will reject any application which shows that the applicant is not, by reason of age, lack of citizenship, proper period of residence, etc., entitled by the law, rules and regulations to an examination; and it must be returned to him with a brief statement of the reasons for such action. A blank form will be furnished for this purpose.

All application papers will be received, if in proper form. Should any be received for positions in the service of the Commonwealth, or another city, they must be forwarded to the commissioners.

When, in the opinion of a majority of the Board, the three certificates as to character are not considered sufficient, by reason of the signers thereof not being reputable persons, the application paper shall be returned to the applicant, who shall be requested to furnish additional certificates.

When the application is for examination for the police service, the secretary of the Board will furnish the applicant with a copy of the book of instructions for police applicants, *and make note of having done so on the application paper.*

When, in the opinion of the Board, it is thought desirable to hold an examination, the secretary will notify the Civil Service Commissioners, and suggest a convenient time for such examination.

On receipt of authority from the commissioners, the secretary of the Board will send notice of such examination to each applicant.

Attention is called to Rule XVII., which gives precedence in notification, under certain circumstances, to those who served in the army or navy in time of war.

Examination blanks will be sent or brought to the Board before an examination is to take place; but they are not to be opened until the Board meets in the examination room on the morning of the examination day, and great care must be taken that they be kept in a secure place until that time.

When all are seated, one of the Board will take from each applicant the notice he has received to attend the examination.

The package of examination papers will then be opened, and each applicant will be given a numbered envelope and a declaration paper; upon the latter are printed questions concerning his name, age, former occupation, service in the army or navy in time of war, etc. These are to be answered in writing, and the writer will sign his name at the bottom of the sheet. This is the only time during the examination when the applicant will be allowed to affix his signature to a paper. After completing the declaration paper, he will fold and enclose it in the numbered envelope which has been given him, and then seal the envelope.

The number on the envelope will be his examination number, and he must write it upon each succeeding paper in the blank space left for that purpose.

It will be well to inform the applicants that they are to be examined in certain subjects, and state the order in which the subjects will be given out.

The envelopes are not to be opened until after all the examination papers have been marked and graded.

In examinations where one of the exercises consists of writing from dictation and spelling, all the applicants will work at the same time. In the other exercises they may consult their own convenience as to rapidity.

As a rule there will be no general recess during the examination hours; but any applicant may be allowed, for sufficient reason, to leave the room at any time when he has finished one set of questions and delivered the paper to one of the Board. No succeeding questions shall be given him, however, until his return.

It is advisable that the full Board of Civil Service Examiners be present at each examination; but a majority of the Board may conduct an examination in case of the disability or necessary absence of the other members.

At all times when an examination is in progress, one of the Board must be present.

Order and decorum should be preserved in the examination room, and visitors can be admitted only by invitation of one of the Board. No visitors shall be allowed to inspect the questions or answers, or procure for publication anything relating to them or the work of any applicant.

To obtain the best possible results, applicants whose natural nervousness is increased during examination should be made to feel as much at ease as possible. To do this will require great discretion on the part of members of the Board; and nothing will defeat this object so quickly as the knowledge, on the part of applicants, that they are observed, or that their work is being scrutinized by those not officially in charge.

Applicants should be cautioned not to use any books of reference or memoranda for the purpose of assisting their memories. Any one detected in doing so may be dismissed from the examination room. The same penalty will be enforced if one applicant attempts to assist another, by conversation or otherwise, in answering the questions given him.

Members of the Board should give the applicants general explanations only, and these should be limited to methods of procedure.

After an examination, all the papers should be taken charge of by the secretary of the Board.

Members of local boards are cautioned against furnishing information to any person in relation to the examinations, except in the general way prescribed in the rules.

All unused examination papers are to be returned to the commissioners the day after the examination.

As soon as practicable after completing the marking and grading of the papers, the secretary of the Board will send a certificate to each person who was examined, if he passed the examination, stating the standing which he obtained, as shown by the marking, and whether or not he is entitled to be recorded on the eligible list.

In the general regulations adopted by the commissioners will be found information as to marking and grading, and the enrolment in the proper register of the names of those found eligible for appointment.

The chief examiner or one of the commissioners will be present at the examination whenever it is practicable to do so.

More specific rules for marking the examination papers will be issued hereafter.

Necessary expenses incurred by members of the Board for stationery, postage and actual travel, will be allowed by the commissioners.

Whenever it appears to the Board of Examiners that the position to be filled requires special qualifications, and that the regular course of examination for that branch of the service would not meet the case, they will notify the commissioners of the facts, and ask for instructions as to the special course to be pursued. When the advice or assistance of experts is necessary, the Board will so inform the commissioners, and suggest the names of suitable persons who would be willing to aid them.

HENRY SHERWIN,
Chief Examiner.

FORMS FOR APPOINTING OFFICERS.

[The following forms are furnished for the information and convenience of officers making appointments to positions in the classified service of the Commonwealth and the cities thereof. They are furnished merely by way of suggestion, and not as forms prescribed by law to be strictly followed.]

Form for Nomination, by a Mayor, of Police Officers—Probationary Term.

I hereby nominate, subject to the approval and confirmation of the Board of Aldermen, _____, to be a police officer of the city of _____, with all the powers of a constable except the power of serving and executing civil process, to hold said office for a probationary period of six months, as provided in the civil service rules of the Commonwealth, unless sooner discharged.

Form for Nomination, by a Mayor, of Police Officers—After Probationary Term.

_____, having served as a police officer for a probationary period of six months, and his conduct and capacity having been found satisfactory, I hereby nominate, subject to the approval of the Board of Aldermen, said _____, to be a police officer of the city of _____, with all the powers of a constable except the power of serving and executing civil process.*

Form of Warrant for Police Officer appointed for Probationary Term.

This is to certify that _____ has been appointed a police officer of the city of _____, with all the powers of a constable except the power of serving and executing civil process, said appointment being made under the civil service rules of the Commonwealth for a probationary term of six months, beginning on the _____ day of _____ A D. 18 .

* In cities where the ordinances provide that appointment shall be made for a limited time, it would be well to add, "to hold office for the term and according to the tenure prescribed by the laws and ordinances."

Form of Warrant for Police Officers appointed after Probationary Term.

This is to certify that _____, having served a probationary period of six months, as required by the civil service rules of the Commonwealth, has been appointed a police officer of the city of _____, with all the powers of a constable except the power of serving and executing civil process.*

Form of Notice to Persons, other than Police Officers, appointed for a Probationary Term.

This is to inform you that, under the provisions of the civil service rules, _____ ha selected you for appointment to the position of _____ in the _____ for a probationary term of six months from the date when you begin service. Should your conduct and efficiency during such probationary term prove satisfactory, you will, at its close, receive a regular appointment; otherwise your appointment will cease. The salary attached to such position is at the rate of \$ _____.

This conditional appointment does not preclude prompt discharge from service at any time during such probationary term, in case of misconduct or inefficiency.

A prompt reply is requested, stating whether this appointment is accepted, and giving the earliest date when you can present yourself for service.

Notice to Persons, other than Police Officers, appointed after Probationary Term.

Your conduct and capacity, during the probationary term of six months, having been found satisfactory, you are hereby appointed a _____ in the _____ department [or office] at a _____ salary of \$ _____, beginning on the _____ day of _____, A.D. 18 ____.

Notice to Persons whose Conduct or Capacity has not proved Satisfactory during the Probationary Term.

I have to inform you that your conduct [or capacity] during your employment in _____ department as _____, for a probationary term of six months, has not been found satisfactory, and that, in accordance with the terms of your original appointment, as prescribed in the civil service rules of the Commonwealth, your employment in said department will cease on the _____ day _____ of _____, A.D. 18 ____.

* See note to second form.

INSTRUCTIONS TO APPLICANTS.

There are no regular times for holding examinations, and no definite information can be given as to when the next examination for any particular branch of the service will be held, but applications will be recorded at any time.

A person desiring to be examined for a position in the classified service should file his application on the prescribed blank; and a form for that purpose can be obtained at the office of the commissioners, room 152, State House, Boston, or of the secretary of the local board of examiners in the city where he lives.

Applications for the service of the Commonwealth and of the city of Boston should be filed in the commissioners' office, Boston; if for service in any city other than Boston, they should be filed with the secretary of the board of civil service examiners in such city.

The commissioners are unable to answer inquiries as to vacancies in the service, salaries, prospects of certification, appointment or promotion, or as to the course of preparation which applicants should follow (except as shown by the specimen examination papers printed in their report), or in relation to cases which are not before them for decision; nor can they decide, except in the cases of actual applicants, questions respecting the application of the rules. Particular answers cannot be given to inquiries which are answered herein, directly or by implication.

The relative standing of any applicant, as compared with that of others on the same eligible list, may be changed by the addition of names of persons who have obtained higher standing at some more recent examination, and the time of the examination is not considered in making certifications.

Eligibles are certified in the order of their grade, and nothing can help and nothing can hinder their certification for appointment in the order of eligibility as prescribed by the civil service rules.

The commissioners know nothing of vacancies until requested to certify names for filling them; and it can only be generally said that the highest mark possible is 100, the lowest which gives eligi-

bility is 65, and that the nearer the applicant's mark is to 100 the more likely it is that his name will be reached for certification. It is wholly uncertain, therefore, when an applicant's name may be reached for certification, and it is useless to speculate upon what his chances may be.

Applicants will save the commissioners and themselves time and trouble by carefully reading the foregoing, and preserving it for reference.

Very respectfully,

WARREN P. DUDLEY,
Secretary.

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